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CORRUPTION IN AMERICAN POLITICS AND LIFE

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CORRUPTION IN AMERICAN POLITICS AND LIFE

CORRUPTION *in* AMERICAN POLITICS AND LIFE

By

ROBERT C. BROOKS
Professor of Political Science in the University of Cincinnati

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TO

THE MEMORY OF

James Eugene Brooks

FATHER FRIEND

FIRST TEACHER OF CIVIC DUTY

PREFACE

CORRUPTION is repulsive. It deserves the scorn and hatred which all straightforward men feel for it and which nearly all writers on the subject have expressed. Conviction of its vileness is the first step toward better things. Yet there is more than a possibility that the feeling of repugnance which corrupt practices inspire may interfere with our clearness of vision, may cloud our conception of the work before us, may even in some cases lead to misrepresentation—which is misrepresentation still although designed to aid in virtue's cause. Fighting the devil with fire is evidence of a true militant spirit, yet one may doubt the wisdom of meeting an adversary in that adversary's own element, of arming oneself for the battle with that adversary's favorite weapon. Whatever views are held regarding the tactics of reform there must always be room for cool, systematic studies of social evils. These need not be lacking in sympathy for the good cause any more than the studies of the pathologist are devoid of sympathy for the sufferers from the disease which he is investigating. Nor need social studies conceived in the spirit of detachment, of objectivity, be lacking in practical helpfulness. We recognise

the immense utility of the investigations of the pathologist although he works apart from hospital wards with microscope and culture tubes. In an effort to realise something of this spirit and purpose the following studies have been conceived.

Of the several studies making up the present work the first and second only have been published elsewhere. The writer desires to acknowledge the courtesy of the *International Journal of Ethics* in permitting the reprint, without material alterations, of the "Apologies for Political Corruption," and of the *Political Science Quarterly* for a similar favour with regard to "The Nature of Political Corruption." Objection will perhaps be made to the precedence given the "Apologies" over "The Nature of Political Corruption" in the present volume. Weak as it may be in logic this arrangement would seem to be the better one in ethics; hence the decision in its favour. Definition could wait, it was felt, until every opportunity had been given to the apologists for corruption to present their case.

The extent of the author's obligations to the very rich but scattered literature of the subject will appear partly from the references in text and footnotes. For many criticisms and suggestions of value on portions of the work falling within their fields of interest, cordial acknowledgment is made to Dr. Albert C. Muhse of the Bureau of

Corporations, Washington; Mr. Burton Alva Konkle of the Historical Society of Pennsylvania, Philadelphia; Professor John L. Lowes, Washington University, St. Louis; Mr. Perry Belmont, Washington; Mr. Frank Parker Stockbridge, of the *Times-Star,* Cincinnati; and finally to Professor Frederick Charles Hicks, the writer's friend and colleague in the faculty of the University of Cincinnati. Credit must also be given for many novel points of view developed in class room discussion by students of Swarthmore College and the University of Cincinnati. The members of the graduate seminar in political science at the latter institution have been particularly helpful in this way. To one of them, Mr. Nathan Tovio Isaacs, of Cincinnati, the author is indebted for a most painstaking reading of the whole MS., on the basis of which many valuable criticisms of major as well as minor importance were made.

To the members of the City Clubs of Philadelphia and Cincinnati, the writer also returns most cordial thanks for the various pleasant occasions which they afforded him of presenting his views in papers read before these bodies. While there was some smoke and at times a little heat in the resulting discussions, there were also many flashes of inspiration emanating from the political experience and the high unselfish ideals of the membership of the clubs. In appropriating valuable

suggestions from so many sources and with such scant recognition, the writer trusts that his treatment of political corruption may nevertheless escape the charge of literary corruption.

University of Cincinnati,
Cincinnati, Ohio,
April 1, 1910.

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APOLOGIES FOR POLITICAL CORRUPTION

I

APOLOGIES FOR POLITICAL CORRUPTION

NEARLY all current contributions on the subject of political corruption belong frankly to the literature of exposure and denunciation. The ends pursued by social reformers are notoriously divergent and antagonistic, but there is general agreement among them and, for that matter, among Philistines as well, that corruption is wholly perverse and dangerous. How then may one have the temerity to speak of apologies in the premises?

Certainly not, as one writer has recently done, by presenting a detailed and striking picture of the force with which the temptation to corrupt action operates upon individuals exposed to its malevolent influence. No doubt such studies are of great value in laying bare to us the hidden springs of part of our political life, the great resources, material and social, of those who are selfishly assailing the honesty of government, and the difficulties in the way of those who are sincerely struggling for better things. In the last analysis, however, all this is nothing more than a species of explanation and extenuation, which if slightly exaggerated may easily degenerate into maudlin sympathy. That men's votes or influence

are cheap or dear, that their political honour can be bought for $20 or $20,000—doubtless these facts are significant as to the calibre of the men concerned and the morals of the times, but they do not amount to an apology for either.[1] If, however, it can be shown that in spite of the evil involved political corruption nevertheless has certain resultants which are advantageous, not simply to those who profit directly by crooked devices, but to society in general, the use of the term would be justified.

Four main lines of argument have been gathered from various sources as constituting the principal, if not the entire equipment of the *advocatus diaboli* to this end. These are, first, that political corruption makes business good; second, that it may be more than compensated for by the high efficiency otherwise of those who engage in it; third, that it saves us from mob rule; and fourth, that corruption is part of an evolutionary process the ends of which are presumed to be so beneficent as to more than outweigh existing evils.

I. Of these four arguments the first is most frequently presented. Few of our reputable business men would assent to it if stated baldly, or indeed in any form, but in certain lines of business the tacit acceptance of this doctrine would seem to

[1] "An Apology for Graft," by Lincoln Steffens, *American Magazine*, vol. lxvi (1908), p. 120.

be implied by the political attitude of those concerned. In slightly disguised form the same consideration appeals to the whole electorate, as shown by the potency of the "full dinner-pail" slogan, and the pause which is always given to reforms demanded in the name of justice when commercial depression occurs. But while we are often told that corruption makes business good, we are seldom informed in just what ways this desirable result is brought about. One quite astounding point occasionally brought up in this connection is the favour with which a portion of the mercantile community looks upon the illegal protection of vice and gambling. A police force must sternly repress major crimes and violence. Certain sections of the city must be kept free from offence. These things understood, a "wide-open" town is held to have the advantage over "slower" neighbouring places. A great city, we are told, is not a kindergarten. Its population is composed both of the just and the unjust, and this is equally true of the many who resort to it from the surrounding country for purposes of pleasure or profit. The slow city may still continue to hold and attract the better element which seeks only legitimate business and recreation, but the wide-open town will hold and attract both the better and the worse elements. Of course, individuals of the latter class may be somewhat mulcted in dives and gambling rooms, but they will still have considerable

sums left to spend in thoroughly respectable stores, and such patronage is not to be sniffed at.[1]

Ordinarily this argument stops with the consideration of spending alone. It may be strengthened somewhat by bringing in the reaction of consumption upon production. A great city prides itself upon its ceaseless rush and gaiety, its bright lights and crowded streets, its numerous places of amusement and all the evidences of material prosperity and pleasure. These may be held to be enhanced when both licit and illicit pursuits and diversions are open to its people; and further, the people themselves, under the attraction of such varied allurements, may strive to produce more that they may enjoy more. In the Philippines, it is said that the only labourers who can be relied upon to stick to their work any considerable length of time are those who have caught the gambling and cock-fighting mania. Under tropical conditions a little intermittent labour easily supplies the few needs of others, whereas the devotee of chance, driven by a consuming passion, works steadily. In the present state of a fallen humanity there are

[1] The argument is at least as old as Plato. In the "Laws" it is put as follows: "Acquisitions which come from sources which are just and unjust indifferently are more than double those which come from just sources only." With the true Greek contempt for business, however, the Philosopher finds it an easy matter to dispose of this specious contention. *Cf.* the "Laws," bk. v, p. 125, tr. by B. Jowett, vol. v, 3d ed.

presumably many persons of similar character living under our own higher civilisation.

Strong as is the hold which the foregoing considerations have obtained upon certain limited sections of the business community it is not difficult to criticise them upon purely economic grounds. Of two neighbouring towns, one " wide-open " and the other law-abiding, the former might, indeed, prove more successful in a business way. But we have to consider not simply the material advantage in the case of two rival cities. The material welfare of the state as a whole is of greater imporance, and it would be impossible to show that this was enhanced by corruptly tolerating gambling and vice anywhere within its territory. On the contrary, economists have abundantly shown the harmful effects of such practices, even when no taint of illegality attaches to them. What the " wide-open " community gains over its rival is much more than offset by what the state as a whole loses. Moreover, it may well be doubted whether the purely economic advantage of the " wide-open " city is solid and permanent. Even those of its business men who are engaged in legitimate pursuits are constant sufferers from the general neglect of administrative duty, and sometimes even from the extortionate practices, of its corrupt government. They may consider it to their advantage to have gambling and vice tolerated, but only within limits. If such abuses become too open and rampant legiti-

mate business is certain to suffer, both because of the losses and distractions suffered by the worse element in the community and because of the fear and avoidance which the prevalence of vicious conditions inspires in the better classes. Indeed cases are by no means uncommon where the better business element has risen in protest against lax and presumably corrupt police methods which permitted vice to flaunt itself so boldly on retail thoroughfares that respectable women became afraid to venture upon them. There remain, of course, the expedients of confining illicit practices to certain districts of the city, or of nicely restraining them so that, while permitting indulgence to those who desire it, they do not unduly offend the moral element in the community. But such delicate adjustments are difficult to maintain, since vice and gambling naturally seek to extend their field and their profits and, within pretty generous limits, can readily afford to make it worth while for a corrupt city administration to permit them to do so. And even if they are kept satisfactorily within bounds, the state as a whole, if not the particular community, must suffer from their pernicious economic consequences.

It has been thought worth while to go at some length into the criticism on purely economic grounds of the argument that corruption makes business good; first, because the argument itself is primarily economic in character, and secondly, be-

cause its tacit acceptance by certain hard-headed business men might lead to the belief that its refutation on material grounds was impossible. A broad view of the economic welfare of the state as a whole and business in all its forms leads, as we have seen, to the opposite conviction. And this conviction that corruption does *not* make business good in any solid and permanent way is greatly strengthened when moral and political, as well as financial, values are thrown into the scale. It is not necessary to recite in detail the ethical argument against gambling and vice in order to strengthen this point. The general duty of the state to protect the lives and health and morals of its people, even at great financial sacrifice if necessary, is beyond question. There is a possibility, as Professor Goodnow maintains,[1] that in the United States we have gone too far in attempting to suppress by police power things that are simply vicious, as distinguished from crimes; but however this may be, some regulation or repression of vice is always necessary. The real point here is that, having once drawn the line, the bribery of officials shall not be resorted to in order that vice may be permitted to flourish in certain localities. In such cases the state suffers not only from the effects of the vice but also from the disregard into which the whole fabric of law falls because of the failure to enforce it in part.

[1] "City Government in the United States," ch. ix, p. 228.

With regard to the particular plea that the life and animation and pleasures of a wide-open town stimulate its citizens to greater activity in producing wealth, it should be observed that this amounts virtually to the advocacy of the purchase of a dubious economic benefit at a high and certain moral cost. In the long run most, if not all, the vicious practices which thus find a quasi-justification directly cripple productive efficiency much more than they can possibly stimulate it indirectly. "A short life and a merry one" may serve well as a motto for a criminal career, but not as an economic maxim for a community of sane people. It may be admitted that the world is not to grow perfect in a day. Vice will persist, corruption will persist, although doubtless in less noxious forms, and business will persist with periods of greater or less prosperity under such conditions. It would be arrant folly, however, to expect business to reach its highest development with vice rampant under a corrupt police administration. A policy of repression, firmly enforced, will be best in the long run both for morals and for business. But even if honesty and prosperity were incompatible, it would still be true that it is a higher duty of the state to make men good than to make them rich. Ordinarily, however, both ends may be pursued at the same time and without conflict.

Up to this point the discussion of the argument

that corruption makes business good has been confined to the forms of corruption under which vice is illegally tolerated. A dishonest government, however, is also frequently appealed to by businesses perfectly legitimate in their general character for concessions of one sort or another, ranging from the privilege to obstruct sidewalks by show windows up to the granting of public service franchises worth millions of dollars. With an open-handed distribution of such favours business is thought to flourish. Of course, all these concessions must be paid for, but only part of the money goes into the public purse, the rest falling into the hands of boodlers, contractors, and politicians. As the latter could not establish the most perfect title to the rights and franchises they sell they are often inclined to fix prices much below real values. Hence a chance for extraordinary profits to those less scrupulous business men who know the political ropes. A still more important feature of such a situation is that almost anything can be bought. In the lingo of those who are willing to engage in corrupt transactions, business men know "where they are at"; the politicians are men with whom "they can do business." With reformers in power "favours" are not to be expected. Moreover reformers differ widely among themselves with regard to the proper method of dealing with public franchises and privileges of various sorts. Under "good government" these concessions may not be

attainable at all, or, if so, only at such excessive prices and under such onerous conditions designed to safeguard the public interest, that the margin of profit left is extremely small. No wonder that contributions are made by certain kinds of business men to political organisations which the contributors well know to be corrupt, and refused by the same men to reform parties. The argument is, of course, that if the rascals win it is a good stroke of policy to secure their favour in advance, whereas if the reform party wins everybody will be treated alike anyway.

From a business point of view that considers immediate profits and nothing more, this reasoning is of great significance. Several deductions must be made from it, however, before the final balance is struck. It sometimes happens that corrupt organisations fix a regular tariff for privileges of all sorts. So long as the rates are low business appears to boom. But with the wide distribution of privileges the purchasers may lose any monopoly advantage which they enjoyed when the number of concessions was limited. Worse still, a corrupt gang that feels firmly entrenched in power is apt to develop a pretty fair sense of values itself, and to raise the rates for concessions to figures that prove well-nigh prohibitive. The very willingness of business interests to pay and keep quiet encourages the politicians to increase their demands and to devise new methods of levying tribute. In the

end the gang may determine to assume the profits in certain lines by the formation of inside contracting rings which make all competition from the outside futile. Of course, while this process is going on the worst and most unscrupulous competitors in the businesses affected by it have a decided advantage over their fellows. Business men who complain of railroad rebates should certainly be able to recognise the destructive character of corrupt and unfair political conditions of the kind described above. Even those who most profit by alliance with the gang are apt to repent it in the end. They may have succeeded in securing all the favours which they need, and yet stand in constant terror of blackmail and strike legislation by their former political confederates or of exposure by reformers. Finally, although they may be so fortunate as to escape indictment for particular misdeeds, the general belief that a business has been corruptly managed is likely to bring about a demand for legislation affecting its conduct which, temporarily at least, may reduce its profits and the value of its securities very materially. The agitation for municipal ownership is a case in point. Quite apart from the logical weight of the arguments advanced in support of this policy, there can be no doubt that many people favour it largely because of the corrupt methods believed, although in most cases not legally proved, to have been practised by public service corporations.

II. The second argument to be considered is that corruption may be more than compensated for by the high efficiency otherwise of those who engage in it. Such a plea may be offered either for an individual or for an organisation, such as the machine. Many historical cases could be cited of statesmanlike ability of a high order and undoubted honesty on great issues coupled with a shrewd eye for the main chance whenever minor opportunities presented themselves. Even for men who are currently credited with having possessed a much larger share of guile than of ability, admiration is sometimes expressed. There are those who think that New York owes a statue to Tweed, and Pennsylvania already has a statue of Quay—if not a place for the statue.[1] The same manner of thinking prevails in other fields than politics, especially whenever graft can be made to appear as a sort of tribute levied upon a supposedly hostile social class. For example, a labour leader who extorted checks from employers by threatening and even calling strikes was defended by many of his followers on the ground that he had shown wonderful ability in organising the union and securing higher wage scales.[2]

[1] According to a newspaper report of October 16, 1909, the statue was finally placed in its niche in the $13,000,000 Capitol at Harrisburg.

[2] This argument is presented in a very striking way in Mr. Hutchins Hapgood's "The Spirit of Labour," pp. 114, 260, 345, 369.

The question is sometimes raised as to whether or not some purely personal moral obliquity should be held against a candidate for office whose qualifications otherwise are unimpeachable. A practical answer would, of course, depend largely upon the kind of evil charged against the man and the probability that it would interfere with the performance of his public duties. Even an extremist upon such an issue would have to admit that certain statesmen who have given most distinguished service to their countries have been, for example, intemperate in the use of liquor or unfaithful in the marriage relation. If in such cases we excuse and forget, why not also excuse and forget corrupt transactions that have been more than repaid by general brilliant conduct of affairs of state? No answer to this second question, however, can avoid the distinction that while certain kinds of personal immorality may affect the value of a man's public service to an infinitesimal degree only, corruption in any part of his political career strikes directly at whatever efficiency he may possess as a public servant. In the former case his sins are in a different category from his virtues, whereas in the latter case they belong to the same category. Moreover a corrupt record even on a minor point in a man's official career is apt to prove a great stumblingblock forever after. Usually designing persons can more readily employ their knowledge of it to force him to the commission of further and worse corrupt

actions than they could hope to do had his earlier offences been of the same degree but of a purely personal character.

There is, of course, no quantitative measure whereby we can reckon exactly the efficiency and honesty of men, and, striking a joint average, definitely appraise their value for a given position in the service of the state. If there were such a measure assuredly it would seldom, if ever, register both perfect efficiency and perfect honesty. The work of government, like that of all social institutions, must be performed by relatively weak and incapable human instruments. At best we can only seek to secure the greatest attainable honesty and the greatest attainable efficiency. There may be cases where a degree of the latter amounting to positive genius may offset a serious defect in the former. Distinguished ability, however, ought to be relatively free from moral weakness. Men of more than average capacity, to say nothing of genius, should find it less necessary than others to stoop to equivocal practices in order to succeed. If no higher motives swayed such men, then at least an intelligent appreciation on their part of the risks they ran in pursuing crooked courses would serve as sufficient deterrent. It is your stupid and incapable official ordinarily who, because of moral insensibility or in order to keep pace with his abler fellows, is most easily tempted to employ shifty devices. The weakness of the second apology for

corruption is thus apparent. Normally corruption and efficiency are not found together. On the contrary honesty and efficiency are common yokemates. A public sentiment which weakly excuses corruption on the ground of alleged efficiency will be deceived much more often than a public sentiment which insists upon the highest attainable standard of both.

III. The third apology for corruption is that it saves us from mob rule. In Professor Ford's felicitous phrase the appearance of corruption "instead of being the betrayal of democracy may be the diplomatic treatment of ochlocracy, restraining its dangerous tendencies and minimising its mischiefs."[1] According to this view the machine, dominated by the boss or gang, is the defender of society itself against the attacks of our internal barbarians. Tammany Hall had the brazen effrontery to assume this attitude during the New York mayoralty campaign of 1886, when it nominated Mr. Hewitt in opposition to Henry George. "Yet it would be difficult to name a time in recent years when frauds so glaring and so tremendous in the aggregate have been employed in behalf of any candidate as were committed in behalf of Mr. Hewitt in 1886."[2] Society would seem to be in

[1] *Political Science Quarterly,* vol. xix (1904), p. 678.

[2] "The History of Tammany Hall," by Gustavus Myers, p. 323.

desperate straits, indeed, if it needed such defenders and such methods of defence. In favour of their employment it is sometimes said that our propertied and educated classes have grown away from the great democratic mass. Of themselves they would be quite incapable of protecting the goods, material and ideal, which are intrusted to them. The corrupt machine, seeking its own interest, it is true, nevertheless performs the invaluable social service of keeping the restless proletariat in subjection. In order to obtain the votes of ignorant and venal citizens the unscrupulous political leader is obliged to perform innumerable petty services for them, as, for example, securing jobs, both in the public service and outside, supplying or obtaining charitable relief in times of need, speaking a friendly word to the police magistrate after a neighbourhood brawl, providing recreation in the form of tickets to chowder excursions during the summer and to "pleasure club" balls during the winter. Bread and circuses being thus supplied, our higher civilisation is presumably secure. If the corrupt machine did not perform these services, it is assumed by some timorous persons that the mob would break forth, gut our shops, rob our tills, burn, and kill in unrestrained fury.

If catastrophes so great and terrible were actually impending the situation would seem not only to justify our present corrupt rulers, but might also be held sufficiently grave to induce us to

establish new bosses and gangs, giving them license to graft to their heart's content, provided only that they continue their beneficent mission of saving civilisation. Dictatorship would be cheap at the price. The whole argument, however, rests primarily upon a shockingly unjust view of the real character of our proletariat class. Even if this very indefinite term be interpreted to mean only the poorest and most ignorant of our people, whether of native American or of foreign stock, the view that they need to be constantly cajoled by the corrupt politician in order to prevent them from resorting to the violent seizure of the property of others is a grotesque misconception. In the great majority of cases such persons desire nothing more than the opportunity to earn an honest and frugal living in peace. We must admit, of course, that lynching and labour riots occur with appalling frequency in the United States. No one should attempt to minimise the danger and disgrace of such outbreaks. Let us not, on the other hand, fall into the gross error of regarding them as deliberate revolutionary attacks upon the existing social order.

With such circumstances confronting us, what shall be said of the alleged utility of the corrupt machine as prime defender of social peace? If we should conclude to recognise the gang frankly in this capacity any materials for the formation of revolutionary mobs that we may possess would

certainly be encouraged to increase the demands made as the price of continued quiet, and even to furnish a few sample riots from time to time as a means of enforcing their demands. In reality, however, corrupt political machines care very little for social welfare. The very essence of corruption is self-interest regardless of public interest. Familiarity with the favours bestowed by politicians is hardly the best means of encouraging quiescence among poor and ignorant recipients. It may become the first step toward idleness and crime. But besides the distribution of favours the corrupt politician has many other means of procuring power. Hired thugs, and sometimes members of the regular police force, are employed to drive honest voters from the polls, and every manner of tricky device is resorted to in order to deceive them in casting their ballots or to falsify the election returns. Do such things allay social discontent? Even the rank favouritism shown by the corrupt organisation to its servile adherents must make enemies of those who feel themselves slighted. Few forms of political evil are more dangerous than the fear sometimes displayed by mayors or governors that the vigorous employment of the police to suppress rioting may cost them votes when they come up for re-election. And there are many other consequences of corrupt rule which indirectly but none the less surely inflame the sufferers against the injustice of the existing order: insufficient and

inferior school accommodations, the absence of parks and other means of rational recreation, dirty streets, impure water supply, neglect of housing reforms, poor and high-priced public utility services and so on. All things considered, the corrupt machine is the sorriest saviour of society imaginable.

Assuming, finally, for the sake of argument, that there is real danger of class war in the near future, the best defence would obviously lie in strong police, militia, and army forces. The life of the state itself would require the destruction of every vestige of corruption in these branches of its service at least. If the danger of class war were real but not imminent a thoroughgoing policy directed to the establishment of social justice and the elimination of public abuses would be imperative. Among other things, better education, sanitation, poor relief, and public services, would have to be supplied, and to get these we would have to get rid of the corrupt machine as far as possible. Under either assumption, therefore, the state threatened with social disturbance would find safety not in corruption but in honesty and efficiency. However, in exposing the hollowness of the pretence that society needs to be saved by crooked means, we should not fall into the error of assuming that the corrupt politician alone is responsible for all our social ills. We who not only tolerate his works but who tolerate many other abuses with which he

has no connection whatever, should remember our own responsibility for the improvement and continued stability of society. It is the custom to castigate the rich in this connection, but the indifference, snobbishness, and narrowness of large sections of our middle classes are also very gravely at fault.[1]

IV. The fourth apology offered for corruption is that it is part of an evolutionary process, the ends of which are presumed to be so beneficent as to more than atone for existing evils attributable to it. Complaint might justly be made that this is a highly general statement, but its formulation in the broad terms used above seems necessary in order to include the various details of the argument. A similar sweeping defence might be set up for any conceivable abuse or evil—for tyranny as well as for corruption, for immorality or for crime. In all such cases, however, it would be necessary to prove—although it seems quite impossible to do so—that the ultimate beneficent end would more than repay the evil involved; and further, that no better way existed of attaining the promised goal. It must be freely conceded that we know little or nothing of the remote ends of the evolutionary process as it exhibits itself in

[1] On this point *cf.* Mary E. Richmond's extremely thoughtful and sympathetic study of "The Good Neighbour in the Modern City."

society. Repulsive as are many of its details, there seem to be sufficient grounds for believing in wonderful ultimate achievement. An apology for contemporary corruption based on such considerations may therefore be worthy of attention, provided, however, that it does not attempt to bind us to a purely *laissez faire* attitude in the presence of admitted and immediate political evils.

From the latter point of view political corruption may be regarded as a symptom, bad in itself but valuable because it indicates the need, and in some degree the method, of cure. Like pain in the physical economy it is one of the danger signals of the social economy. Thus, as we have seen, the neglect of proper facilities for education, sanitation, poor relief and so on, particularly in our large cities, is both a resultant in part of corruption and a cause of further corruption. By providing better facilities along these lines we may, therefore, hope ultimately to improve the whole tone of our citizenship and the life of the state. A still more concrete illustration is supplied by Professor Goodnow's masterly discussion of the boss in his "Politics and Administration."[1] According to his view certain defects in our governmental organisation, notably the decentralisation and irresponsibility of much of our administrative machinery, the futile attempt to

[1] Particularly chs. viii and ix.

secure by popular vote the election of a large number of efficient administrative officials and the lack of a close relationship between legislation and administration, all combine to produce a situation which only a strong party organisation dominated by a boss can keep from degenerating into chaos. From this aspect it might be maintained that the evil political practices commonly associated with the boss are only incidental and in part excusable after all. Fundamentally he exists because of defects in the organisation of our government, and his activities go far to correct these defects. Even accepting this argument fully, however, some choice in bosses as Professor Goodnow points out,[1] would still be left open to the electorate. By the progressive overthrow of the worse and the selection of better aspirants for political power the boss may evolve into the leader, who will retain many of the great functions of his predecessor but will exercise them in a responsible manner and free from corruption. The practical significance of Professor Goodnow's argument, however, lies far less in the explanation it gives of the temporary ascendency of the boss and the system which he presides over than in the conviction it enforces of the necessity of certain reforms in the organisation of our government that will bring its functions into harmony with each other, and ultimately, it is hoped, make corrupt and irresponsible bosses

[1] *Ibid*, p. 195.

impossible.[1] In no proper sense of the word, however, can this line of argument be considered an apology for corruption such as is usually alleged to be associated with bossism. It makes clear only that the power of the boss, under present conditions, has its uses as well as its abuses. But these uses do not justify the abuses. On the contrary the corruption associated with the great powers of the boss is a menace so great as to make necessary the most far-reaching reforms.

Whether we are soon to get rid of the boss or not we are therefore bound to fight against any corruption that may develop as a result of his rule. Our present system is manifestly unstable in the long run. Individual bosses seldom retain power any great number of years. The position of the boss may remain, but "spasms" of reform usually succeed at least in introducing a new incumbent who brings with him new methods and new groups of favourites. The net result is far from guaranteeing that certainty and stability which both business and public interests demand. Even assuming that in some way security against popular upheaval could be conferred upon the boss, other difficulties would still have to be met. The large financial interests, which need the favours of government or seek release from its burdens, sometimes go to war among themselves, and

[1] A discussion of these reforms in detail is given in ch. ix of Professor Goodnow's book.

in these contests control of the powers of the boss gives valuable strategic advantages. Hence many ambitious aspirants among the principal heads of the gang, each awaiting a possible palace insurrection. It is conceivable, however, that a boss might secure himself both against factional and popular disturbances, and at the same time be supported by consolidated business interests powerful beyond the possibility of successful attack by other financial groups. With further growth of corporations and the adoption of the community of interest policy among them, the latter condition might indeed be pretty thoroughly established. In this case we would have a boss as impregnable as the conception allows. True he would still operate through democratic forms, but this pseudo-democracy of his would be nothing more than a mask for oligarchy. The system might conceivably work out into a highly efficient and stable government. Both the boss and the financial interests behind him might prudently decide to content themselves with small percentages of profit, and otherwise insist on solid merit in both the men and the materials they employed. The disturbances due to popular uprisings on the part of an untrammeled voting mass would be reduced to a vanishing minimum.

In this successful combination, however, the oligarchy and not the boss would be the dominating factor. Indeed even under existing conditions

the title of boss is a singularly inappropriate one in most instances. Unless the bearer is possessed of financial ability of a high order himself he must remain a lieutenant rather than a leader. Usually he does not possess this ability. Nor is the reason hard to perceive. The boss is, and probably will continue to be, a specialist in one line only, namely, political manipulation; and in his extremely exposed position this work is quite sufficient in detail and variety to absorb all the time and talents even of an extraordinarily gifted person. Under the financial oligarchy, therefore, the boss will probably be nothing more than an agent, a departmental head charged with the duty of securing the necessary majority of the popular vote at all elections and of retaining control of office holders. From this point of view the absurdity of the conception of the boss as the saviour of democracy is again apparent. At bottom his function is to secure power through his knowledge and subtle bribery of the people and to sell or lease this power to financial interests which recoup themselves out of the pockets of the people. Instead of being the saviour of democracy the net effect of his work, little perhaps as he realises it, is the selling out of democracy to oligarchy.

There is, however, not the remotest possibility that the hypothetical process sketched above will be carried to completion. If it were it could not long survive. Oligarchies are notoriously unstable

compounds. No matter how secure they may make themselves from internal dissension, their very power and success provoke to attack from the outside. In the case we have assumed the weak point lies in the unavoidable necessity of securing a majority of the popular vote from time to time. Ultimately the oligarchy would have to become strong enough to disregard this necessity; that is, to throw off the mask of democracy by abolishing popular elections. Long before this point could be reached, however, the ruling clique would probably find itself attacked by organisations of great voting power which would demand a share of the spoils of sovereignty for themselves. Reduce all politics to a mere calculation of profit and even those voters who now sell themselves for a few dollars or a few petty political favours would come to realise that they held their ballots at too low a figure. They would see political privileges based on their venal compliance or connivance become the foundation stones of large fortunes. They would further realise that the capital value of such privileges was based largely upon the profits extracted from their own pockets a penny at a time and many times over by the high prices charged them for public utility services. Under conditions approaching frank oligarchy, with a political philosophy justifying such conditions, and with class consciousness bred of them, it would seem inevitable that powerful organisations, particularly

of labourers or other industrial classes, would be formed for the purpose of wresting valuable privileges from the government. Instead of the low individual forms of corruption now prevailing we would have other forms, higher because tinged with a group character, but still corrupt because narrow interests would be advanced to the detriment of the interests of the state as a whole. Confronted with such difficulties the corrupt machine would no more prevail to save oligarchy than it is now prevailing to save democracy.

Fortunately every sign of the times points against the development of oligarchy, and such a struggle between it and strong class organisations as has been suggested. The great mass of our people, fully two-thirds of the entire voting population according to Professor Commons' estimate,[1] stands outside the sphere of such a conflict. This powerful neutral influence may be depended upon to establish a rude sort of fair play and to suppress any overweening attempt to make the machinery of the state subservient to narrow interests. Moreover public sentiment as expressed by both the great political parties is setting strongly against special privilege. It was once an easy matter for politicians to approve such a sentiment outwardly, while continuing to deal with it practically merely

[1] See his extremely able article entitled "Is Class Conflict in America Growing and Is It Inevitable?" in the *American Journal of Sociology,* vol. xiii (1908), p. 756.

as a glittering generality quite devoid of any real significance. That decidedly equivocal manner of meeting the situation will no longer serve, however. Regulation of railroads, trusts, and insurance companies, tariff reform, reforms of our governmental organisations, particularly state and municipal, primary and ballot reforms, all these have passed into the arena of practical politics and are dealt with as living issues by both political parties. Mistakes will be made in all these lines, the process of reform will be slow, but that we are on the right road, and that in the end the grosser forms of corruption that disgrace and disgust the present era will be eliminated there can be no doubt.

A very significant evolutionary argument on the subject of corruption has been advanced by Professor Henry J. Ford,[1] and may finally be taken up at this point, although it might also have been considered in connection with the third apology. In Professor Ford's opinion:

"Just as mediæval feudalism was a powerful agency in binding together the masses of the people into the organic union from which the modern state was evolved, so, too, our party feudalism performs a valuable office by the way it establishes connections of interest among the masses of the people. To view the case as a whole, we should contrast the marked European tendency toward disintegration of government through strife of classes and

[1] *Political Science Quarterly,* vol. xix (1904), p. 673.

nationalities with the strong tendency shown in this country toward national integration of all elements of the population. Our despised politicians are probably to be credited with what we call the wonderful assimilating capacity of American institutions."

That the contrast drawn by Mr. Ford between government in Europe and the United States is true and enormously in our favour there can be no doubt. Of course, historical conditions would have retarded or prevented any similar unifying development in Europe, even if that continent had been privileged to enjoy the ministrations of all the most talented party workers of America. And in the United States frontier conditions, the public school, the church, the labour union, the press, and our democratic political creed—for none of which the ordinary politician is directly to be credited—have all worked effectively toward the establishment of " connections of interest among the masses of the people." But the fact remains that the party worker has played his part, and that it was a very important part indeed in the process. Of course, his motives were largely selfish—personal or party success; and his methods not of the cleanest—direct purchase of votes, petty favours, minor offices for leading representatives of the class or nationality whose votes were desired and so on. At any rate the party worker met the immigrant with open arms, while too many of our educated and propertied people sneered at or ignored him.

Let us suppose that the latter attitude had prevailed, and that the despised foreigner had been kept from the polls either by legal means or by other repressive measures. In defence of such procedure it could have been argued that the purity of American institutions was at stake. The slogan "America for Americans," once so potent in our politics, might have prevailed universally. At the same time our Know-nothing rulers and people might have asserted that they were protecting and cherishing with paternal unselfishness the best interests of the foreign population which, manifestly, was unfit for the exercise of political rights on its own behalf. Clearly by following this policy some of the political evils which have been attributed so frequently to the foreign vote could have been prevented. If immigrants were freely permitted to come to America while all this was going on we should, however, have had in time to reckon with a large class of unfranchised labourers who could hardly have failed to look upon native Americans as poor professors of democracy, or possibly even as oppressors against whom insurrection was fully justified. Immigrants would not have become citizens, America would not have shown the assimilative capacity which is the wonder and despair of Europe.

Things were not so ordered. Immigrants were permitted to come in staggering numbers, and once in the country were admitted to the ballot

with a light-hearted ease that seemed sheer insanity to many observers. The corrupt politician improved the opportunity and marshalled them to the polls in droves, often to the loudly expressed disgust of the native born. Every method of coercion, deceit, and corruption, was employed to keep the foreigner in the ranks. But this policy was foredoomed to failure from the start. In his native country the immigrant was either ignored or else kicked and cuffed about by those in authority; imagine his surprise at being courted for his political influence in the land of his adoption. The few dollars or few petty favours at first offered him for his vote may have been a very despicable method of acquainting him with the value of his political rights, but the lesson had the merit at least of being adapted to every grade of intelligence, including the lowest. Good government tracts on the duties of citizenship would hardly have proved so effective. On the whole it would be hard to imagine a worse school for citizenship, and the only wonder is that in the end it has turned out so many good citizens. A large part of the foreign vote has learned to repudiate the leadership of designing native politicians. It has developed leaders and aims of its own. Many of these leaders are doubtless quite as purely selfish as the former American leaders, and many of the aims pursued are not so high as they should be, but the political capacity to reach higher things

is there; and that, after all, is the main consideration.[1] It would be easy to find fault on much the same grounds with the political ideals and leaders of those parts of the country which have been little if at all affected by immigration.

Believers in the ultimate good resulting from a questionable evolutionary process might point in support of their faith to the foregoing interpretation of the effects of our corrupt politics upon the immigrant. Others will doubtless find it much too roseate. What of those immigrants, they will ask, who were already fitted for the proper per-

[1] In his extremely interesting work on "The Anthracite Coal Communities," Mr. Peter Roberts takes a rather dark view of the political morals of the coal counties of Pennsylvania (pp. 316-42, 355-58), but it is easy to recognise in his pages the emergence of political independence and higher forms of corruption which indicate better things for the future. "In the year 1897," he writes, "the courts of Lackawanna, Luzerne, and Schuylkill, drafted a new set of rules to regulate the process of naturalising aliens, making it more difficult and expensive.—[The cost alone was increased from $2.00 to from $12.00 to $15.00, and applicants were compelled to engage the services of an attorney.]—The Sclav in this matter, as in all others which affect his material interests, moves in a practical manner that commends his business tact and condemns his political ethics. The applicants organise into political clubs, and prepare themselves for the examination. When they are ready they wait for the time of election until some aspirant for political honours comes round. A bargain is then made; if he secures them their naturalisation papers the club will vote for him. In this way a large number are pushed through, previous to the

formance of the duties of American citizenship? Doubtless the number of such was large, particularly among our earlier accessions from western Europe. Many of this better class of immigrants must have been debauched by contact with corrupt influences, and even those who rose superior to such conditions must have found it an uphill fight. Even if instances can be cited where foreign masses subject to the worst political management have nevertheless developed independence and organisations of their own, it is seriously to be questioned whether this development will continue. The new flood of immigration from southern and

elections, at little expense to themselves.—The first lesson taught these men in the exercise of the franchise is that it is property having market value, which they sell to the highest bidder." (pp. 44-45.)

"There are many brilliant young men rising among them [the Sclavs] who cherish political ambition, and they successfully lead their fellow countrymen to acquire the rights of citizenship in order to enhance their prospects and power in both municipal and county politics. They are gradually appropriating more and more of the spoils of office in municipalities and their power in county elections is annually increasing."

"These people have both physical and intellectual qualities which will enrich the blood and brain of the nation, but the political ethics in vogue in our state are far from possessing a character likely to strengthen and elevate the moral nature of the Sclav. His leaders teach him cunning and give him samples of fraud and sharp practice which he is quick to copy. Venality is the common sin of our electors and the Sclav has been corrupted in the very inception of his political life in his adopted country." (pp. 47-48.)

eastern Europe may progressively deteriorate, or remain a stumblingblock for a long time to come. There are some communities of native white stock in the United States where the buying of votes has continued through two or three generations, growing worse rather than better, until at the present time it seems to have become a fixed institution. In the opinion of many people a large part of the negro vote is not only corrupt but incorrigibly so. Altogether the facts are very far from warranting a reliance upon unaided evolution to work out the problem of electoral corruption. Even granting that the results already secured in this way are extremely favourable, it is probable that much better results might have been secured had the native American stock from the start lived up to the best ideals of republican citizenship. The immigrant might, for example, have been met and aided by institutions working unselfishly for his welfare, such as the church, the school, or the social settlement, rather than by the lowest grade of party politicians working largely for their own private advantage. Doubtless this will sound like a counsel of perfection. So it certainly is as regards the past, but none the less it would seem our clear duty to take every care to educate properly for future citizenship not only such foreigners as we shall continue to admit, but also those of our own people who are exposed to corrupt influences.

To sum up the four lines of apology offered for political corruption, it may be noted that only two of them are so commonly entertained at the present time as to have any large practical significance. These are the first and second, namely, that corruption makes business good, and that it may be more than compensated for by the high efficiency of those who engage in it. The two remaining arguments, dealing respectively with the danger of mob rule and the possibly beneficent effects of further evolution, are extremely interesting; but for the present, at least, they belong largely to the realm of political theory. No one is so simple as to imagine that such forms of corruption as affect our political life owe their existence to any public benefit, near or remote, which by any stretch of the imagination may be attributed to them. Primarily they exist because they are immediately profitable to certain persons who are unscrupulous enough to engage in sinister and underhanded methods of manipulation. Philosophical excuses are not thought out until later, when the magnitude and the profitableness of the malpractices involved suggest the possibility of an apparently dignified and worthy defence. Not one of the four apologies we have considered stands the test of analysis. The social advantages alleged to flow from political corruption are either illusory or minimal. On the other hand the resultant evils are great and real, although, no

doubt, they have often been exaggerated by sensational writers. Whether corruption be approached from the latter side, as is commonly done, or from the side of its apologists, the social necessity of working for its limitation is manifest.

THE NATURE OF POLITICAL CORRUPTION

II

THE NATURE OF POLITICAL CORRUPTION

In the whole vocabulary of politics it would be difficult to point out any single term that is more frequently employed than the word "corruption." Party orators and writers, journalists, "muck rakers," and reformers all use it with the utmost freedom, and it occurs not uncommonly in the less ephemeral pages of political philosophers and historians. Transactions and conditions of very different kinds are stigmatised in this way, in many cases doubtless with entire justice; but apparently there is little disposition to inquire into the essential nature of corruption itself and to discriminate in the use of the word.

Detailed definitions of corrupt practices and bribery are, of course, to be found in every highly developed legal code, but these are scarcely broad enough to cover the whole concept as seen from the viewpoint of political science or ethics. The sanctions of positive law are applied only to those more flagrant practices which past experience has shown to be so pernicious that sentiment has crystallised into statutory prohibitions and adverse judicial decisions. Even within this comparatively limited circle clearness and precision are but imperfectly attained. Popular disgust is frequently

expressed at the ineptitude of the law's definitions and the deviousness of the law's procedure, as a result of which prosecutions of notoriously delinquent officials, politicians, and contractors so often and so ignominiously fail in the courts. If once we step outside the circle of legality, however, we find extremely confused, conflicting, and even unfair states of moral opinion regarding corruption. Public anger at some exposed villainy of this sort is apt to be both blind and exacting. Reform movements directed against corrupt abuses are no more free than are regular political organisations from partisan misrepresentation and partisan passion. With all their faults, however, it is largely from such forces and movements that we must expect not only higher standards of public morality, but also a clearer and more comprehensive legislative and judicial treatment of corrupt practices in the future. For this reason it would seem to be desirable, if possible, to formulate some fairly definite concept of corruption, broader than the purely legal view of the subject and applicable in a general way to the protean forms which evil of this sort assumes in practice.

Certain verbal difficulties must first be cleared away. Chief among these, perhaps, is the extreme levity with which the word is bandied about. One word, indeed, is not sufficient, and a number of slang equivalents and other variants must needs be pressed into service: graft, boodle, rake-off, booty,

loot, spoils, and so on. With all due recognition of recent achievements in the way of gathering and presenting evidence, it is lamentably apparent that charges of corruption are still very frequently brought forward, by party men and reformers alike, on slight grounds or no grounds at all, and also that in many of these cases no intention exists of pushing either accusation or defence to a point where a thorough threshing-out of the matter at issue is possible. In "practical politics" insinuations of the blackest character are made jestingly, and they are ignored or passed off with a shrug or a smile, provided only that they be not of too pointed or too personal a character. Very serious evils may follow reckless mudslinging of this sort. Even if the charges are looked upon as the natural and harmless exuberances of our current political warfare, their constant repetition tends to blur the whole popular conception of corruption. Insensibly the conviction gains ground that practices which are asserted to be so common can scarcely be wholly bad, since public life goes on without apparent change and private prosperity seems unaffected. If, on the other hand, the current accusations of corruption are to be taken at anything like their face value, it becomes difficult to avoid the pessimism that sees nothing but rottenness in our social arrangements and despairs of all constructive reform with present materials.

A second verbal point that demands attention

is the metaphorical character of the word corruption. Even when it is distinctly qualified as political or business or social corruption, the suggestion is subtly conveyed of organic corruption and of everything vile and repugnant to the physical senses which the latter implies. It need not be charged that such implications are purposely cultivated: indeed they are so obvious and common that their use by this time has become a matter of habit. Witness in current writing the frequent juxtaposition of the word corruption, used with reference to social phenomena, with such words as slime, filth, sewage, stench, tainted, rottenness, gangrene, pollution, and the frequent comparison of those who are supposed to profit by such corruption to vultures, hyenas, jackals, and so on. Side by side with the levity already criticised we accordingly find a usage which, however exaggerated and rhetorical it may be, appears to indicate a strong popular feeling against what are deemed to be corrupt practices.

Escape from such confusion can hardly come from the accepted formulas of the dictionaries. Their descriptions or periphrases of corruption are in general much too broad for use in exact discussion. Bribery, indeed, is defined with sufficient sharpness by the *Century Dictionary* as

" a gift or gratuity bestowed for the purpose of influencing the action or conduct of the receiver; especially money or any valuable consideration given or promised for the be-

trayal of a trust or the corrupt performance of an allotted duty, as to a fiduciary agent, a judge, legislator or other public officer, a witness, a voter, *etc.*"

Corruption, however, is by no means synonymous with bribery. The latter is narrower, more direct, less subtle. There can be no bribe-taker without a bribe-giver, but corruption can and frequently does exist even when there are no personal tempters or guilty confederates. A legislator may be approached by a person interested in a certain corporation and may be promised a definite reward for his favourable vote on a measure clearly harmful to the public interest but calculated to benefit the corporation concerned. If the bargain be consummated it is unquestionably a case of bribery, and the action involved is also corrupt. But, if current reports are to be believed, it sometimes happens that legislators, acting wholly on their own initiative and regardless of their duty to the state, vote favourably or unfavourably on pending bills, endeavouring at the same time to profit financially by their action, or by their knowledge of the resultant action of the body to which they belong, by speculation in the open market. In the latter instance they have not been approached by a personal tempter, and the brokers whom they employ to buy or sell may be ignorant of the motives or even of the identity of their patrons. Clearly this is not bribery, but equally clearly it is corrupt. The distinction is perhaps sufficiently

important to justify the coinage of the term "auto-corruption" to cover cases of the latter sort.[1] Corruption in the widest sense of the term would then include both bribery and auto-corruption, and may be defined as *the intentional misperformance or neglect of a recognised duty, or the unwarranted exercise of power,*[2] *with the motive of gaining some advantage more or less directly personal.*

It will be observed that none of the terms of the foregoing definition necessarily confines corruption to the field of politics. This is intentional. Corruption is quite as possible elsewhere as in the state. That it has so frequently been discussed as peculiarly political is by no means proof that government is subject to it in a greater degree than other social organisations. One might rather conclude that the earlier discovery and more vigorous denunciation of corruption as a political evil showed greater purgative virtue in the state than in other spheres of human activity. For surely the day is gone by when the clamour of reformers was all for

[1] Other illustrations of auto-corruption may be found in speculation by inside officials on the basis of crop reports not yet made public, and in real-estate deals based on a knowledge of projected public improvements.

[2] Misperformance and neglect of duty do not clearly include cases of usurpation with corrupt motives; hence the addition of this clause to the definition. Some usurpations may of course be defended as involving high and unselfish motives, and hence free from corruption.

a "business administration" of public affairs. Since that era business has had to look sharply to its own morals—in insurance, in public utilities, in railroads, in corporate finance, and elsewhere. Revelations in these fields have made it plain that much of the impetus to wrong-doing in the political sphere comes originally from business interests. This is not to be taken as in any sense exculpating the public officials concerned; it simply indicates the guilt of the business man as *particeps criminis* with the politician. Moreover business can and does suffer from forms of corruption which are peculiar to itself and which in no way involve political turpitude. Such offences range all the way from the sale by a clerk of business secrets to a rival concern, and the receipt of presents or gratuitous entertainment from wholesalers by the buyers for retail firms, up to the juggling of financial reports by directors, the mismanagement of physical property by insiders who wish to buy out small stockholders, and the investment of insurance or other trust funds to the private advantage of managerial officers.

Besides business and politics, other spheres of social activity are subject to corrupt influences. Indeed wherever and whenever there is duty to be shirked or improperly performed for motives of more or less immediate advantage evil of this sort may enter in. This is the case with the church, the family, with educational associations, clubs,

and so on throughout the whole list of social organisations. To ingratiate himself with wealthy or influential parishioners, for example, a minister may suppress convictions which his duty to God and religion requires him to express. A large proportion of the cases of divorce, marital infidelity, and childless unions, reflect the operation of corrupt influences upon our family life. In the struggle for endowments and bequests colleges and universities have at times forgotten some of their high ideals. If corrupt motives play a smaller part in the social organisations just mentioned than in politics or business it is perhaps not so much due to the finer fibre of churchmen, professors, and the like, as to the subjection of the more grossly gainful to other motives in clerical, educational, and similar circles.

While the possibility of corruption is thus seen to be extremely broad, our present concern is chiefly with political corruption. To adjust the definition hazarded above to cover the latter case alone it is necessary only to qualify the word "duty" by the phrase "to the state." Further discussion of the various terms of the definition, thus amended, would seem advisable.

I. To begin with, corruption is *intentional.* The political duty involved is perceived, but it is neglected or misperformed for reasons narrower than those which the state intends. Failure to

meet a recognised duty is not necessarily corrupt; it may be due to simple inefficiency. The corrupt official must know the better and choose the worse; the inefficient official does not know any better. In either case the external circumstances may appear to be closely similar, and the immediate results may be equally harmful. No doubt what is often denounced in the United States as corruption is mere official stupidity, particularly in those spheres of administration still filled by amateurs and dominated by the "rotation of office" theory. Thus a purchasing official unfamiliar with his duties may prove the source of large profits to unscrupulous dealers. So far as the official himself is concerned no private advantage may be sought or gained, but the public interest suffers just the same. In another case the official understands the situation thoroughly and takes advantage of it by compelling the dealers to divide with him the amount by which the government is being defrauded, or he may go into business with the aid of office boys or relatives and sell to himself as purchasing agent. The latter are clear cases of bribery and auto-corruption respectively, but so far as immediate results are concerned the state is no worse off than with the official who was merely ignorant or careless. To one not in full possession of the underlying facts all three cases may appear very similar.

Successful corruption, however, tends to become

insatiable, and in the long run the state may suffer far more from it and from the spread of the bad moral example which it involves than it can easily suffer from simple inefficiency. On the other hand inefficiency also may spread by imitation, although perhaps more slowly, since it is not immediately profitable, until the whole service of government is weakened. Moreover inefficiency may develop by a very natural process into thoroughgoing corruption. If not too stupid, the incapable official may come to see the advantages which others are deriving from his incapacity and may endeavour to participate in them. Because of his failure to obtain promotion so rapidly as his more efficient fellow-servants, he may be peculiarly liable to the temptation to get on by crooked courses. Practically, therefore, inefficiency and corruption are apt to be very closely connected—a fact which civil service reformers have long recognised. It would also seem that the two are very closely connected in their essential nature, and only a very qualified assent can be given to the doctrine that inefficiency, as commonly understood, is morally blameless. To be so considered the incapable person must be entirely unaware of his inability to measure up to the full requirement of duty. In any other event he is consciously and intentionally ministering to a personal interest, be it love of ease or desire to retain an income which he does not earn, to the neglect of the public duties with which he is in-

trusted. Now, according to the definition presented above, this attitude is unquestionably corrupt. It is, however, so common on the part of both officeholders and citizens that its corruptness is seldom recognised.

II. Political *duty* must exist or there is no possibility of being corruptly unfaithful to it. This statement may seem a truism, but the logical consequences to be drawn from it are of major importance. Among other things it follows that the more widely political duties are diffused the more widespread are the possibilities of corruption. A government which does not rest upon popular suffrage may be a very bad sort of government in many ways, but it will not suffer from vote-buying. To carry this thought out fully let us assume an absolute despotism in which the arbitrary will of the ruler is the sole source of power.[1] In such a case it is manifestly impossible to speak of corruption. By hypothesis the despot owes no duty to the state or to his subjects. Philosophers who defend absolute government naturally lay great stress on the monarch's duty to God, but this argument may be read out of court on the basis of Mencius's dictum that Heaven is merely a silent

[1] Mr. Seeley has shown, of course, that no actual despotism, so-called, really conforms to this conception, but for purposes of argument, at least, the assumption may be permitted to stand.

partner in the state. The case is not materially altered when responsibility under natural law is insisted upon instead of to the Deity. Now since an absolute despot is bound to no tangible duty, he cannot be corrupt in any way. If in the conduct of his government he takes account of nothing but the grossest of his physical lusts he is nevertheless not unfaithful to the principles on which that government rests. Viewed from a higher conception of the state his rule may be unspeakably bad, but the accusation of corruption does not and cannot hold against it.

Conversely corruption necessarily finds its richest field in highly organised political communities which have developed most fully the idea of duty and which have intrusted its performance to the largest number of officials and citizens. The modern movement toward democracy and responsible government, beneficent as its results in general have been, has unquestionably opened up greater opportunities for evil of this sort than were ever dreamed of in the ancient and mediæval world. Economic evolution has co-operated with political evolution in the process. There is a direct and well-recognised relationship between popular institutions and the growth of wealth. It is no mere coincidence that those countries which have the most liberal governments are also to-day the richest countries of the world. With their growth in wealth, particularly where wealth is distributed

very unequally, materialistic views of life have gained ground rapidly. Thus while the liberal development in politics has opened up wide new areas to the possibility of corruption, the corresponding development in the economic world has strengthened the forces of temptation.

Viewed in this light it must be admitted that our representative democracy with its great international obligations, its increasing range of governmental functions, its enormous and unequally distributed wealth and its intense materialism, is peculiarly subject to corrupt influence. This does not necessarily mean that the republic is destined to be overwhelmed by selfishness. It does mean, however, that we cannot rest secure upon the moral achievements of our ancestors and the institutions which they have transmitted to us. We must develop a more robust virtue, capable of resisting the greater pressure that is brought to bear upon it.

But even if it be conceded that there is a greater measure of successful temptation among us than in the European nations which twit us with corruption as our national vice, it does not follow that we are inferior in political morality to these, our self-appointed moral censors. Reverting to the illustration of vote-buying, it is evident that we could stop this particular form of corruption at once by the simple and obvious, although practically impossible, measure of abolishing popular suffrage. Assuming, for the sake of the argument,

that this could be accomplished, we might readily find ourselves burdened with greater political evils than venal voting—for instance, the development of an arrogant oligarchy and the growth either of a sodden indifferentism or of a violent revolutionary spirit among the masses. A large percentage of Prussian citizens of the poorer classes sullenly refrain from voting, nor are they in the habit of selling their votes. Presumably some of them would be venal if they had the opportunity, but the plutocratic three-class election system makes their political influence so minimal that their ballots are not worth either the casting or the buying. Neither do Prussian municipal officials engage in boodling, but the ascription of superior virtue to them on this account must be tempered by a knowledge of the fact that the local government of the country is kept closely in leading strings by the state. Paradoxical as it may seem, it is none the less true that political corruption implies the existence of political virtue; it implies trust in the performance of duty, widespread obligation to perform it, and confidence that in the great majority of cases it will be performed in spite of the derelictions that such conditions occasionally entail. If monarchies are less corrupt than democracies, it is also true that monarchies do not repose so much faith in the fundamental honesty of their citizens as do democracies. At least they do not put it to such severe political tests.

III. In attempting to define corruption, emphasis was laid upon the condition that the duty misperformed or neglected for personal reasons must be *recognised.* The latter word needs further elucidation. Political duties are defined at great length, of course, in constitutions, laws, and charters. Yet with all our care in providing laws to govern our governors it cannot be maintained that political duty is always so clear as to be easily recognisable. It may indeed be the case that we have at times clouded the situation by the very number and complexity of our legislative acts. Able lawyers frequently differ, for instance, in their views regarding the powers and limitations affecting the action of a mayor under a city charter in a given case. Again, the amount of work required of limited bodies of men is sometimes so great that its full performance is physically impossible, even if we assume perfect comprehension and perfect efficiency on their part. Thus our municipal police forces, it is often asserted, are quite insufficient to execute all the laws and ordinances which it is their duty to enforce. The discretion which they must therefore exercise is an extremely dangerous one, and the continuance of its exercise, suggesting the possibility of suppressing this or that law for personal reasons, is very apt to be provocative of corrupt manipulation.

Apart from the difficulty of clearly perceiving

duty, owing to the number and complexity of our legal requirements, certain degrees of difficulty, varying with the nature of the political service required, deserve consideration. A public official whose work is purely administrative and ministerial would supposedly have a relatively clear path before him. Deflection from it should be easily recognisable and punishable. Thus the making of inspections or the granting of permits by authorised officials would seem to be too open for corrupt influences to tamper with. Yet even here the complexities and volume of the business presented and the material interests involved lead to many dishonest practices, as shown in the granting of liquor licenses and building permits, the inspection of life-saving devices, and so on. Judicial authorities have statutes and precedents to guide them, but every new case presents peculiar circumstances which may furnish opportunity or concealment for a sinister deflection. When we come to superior executive officers who are intrusted with large discretionary powers, and to legislators whose main function is the determination of policy, it is evident that the path of duty is frequently indefinite. To officials so situated personal advantages may offer themselves on both sides of a given question. Amid so complicated a play of motives as must assail these authorities, it becomes at times a matter of almost infinite difficulty to distinguish and disentangle those more or less remotely personal and

venal and to give proper weight to those only that make for the welfare of the state.

In discussing the question of the clearness with which duty presents itself we have thus far assumed that relatively exact positive norms are available. The question is greatly complicated, however, by the reflection that we must deal not only with the law but also with the prophets. What of those who, like the socialists, dream of a future state to which they owe allegiance rather than to the present state? Or of those whose elevation to power, as not infrequently happens under representative government, is due to a certain class in the community, the ideals of which they feel bound to support, be they levelling or aristocratic? Assuming that officials or voters of this kind seek no personal advantage whatever, the accusation of corruption would not hold against them, although those injured by their action would most certainly make such charges.

On the other hand advanced reformers do not hesitate to charge with corruption many existing social institutions of apparent solidity. Periods of confusion in constitutional arrangements, as Professor H. J. Ford has pointed out,[1] are apt to be corrupt, or at least filled with charges of corruption. Doubtless the same observation would hold true for periods of class feeling or moral unsettlement, which, after all, are only the precursors of

[1] *Political Science Quarterly*, vol. xix (1904), p. 673.

constitutional reform. At times when all kinds of conflicting views of duty are current, it is of course easy for different individuals and classes to form extremely divergent views of the morality or immorality of given acts or institutions. Thus, among us, property of various sorts and property in general, government in certain forms or in all forms, marriage, the church, medicine, and law, and those who represent them, are all denounced by small or large groups as graft and grafters. And indeed one need not be a thoroughgoing radical to observe that in some instances narrow and selfish interests have crept into these institutions, warped their highest ideals and crippled their efficiency. There seems to be little justification, however, for the employment of the word corruption in such sweeping fashion. Those who so employ it cannot pretend that any general consensus of moral opinion supports their usage. No doubt many propositions for social change which are now considered extremely radical will gradually gain converts and will ultimately be enacted into law; but not all reforms can appeal unerringly to the future for justification. Institutions hotly assailed in times past have not infrequently outlived their detractors and developed new possibilities of social utility. The formation of modern nationality itself wore the appearance of corruption to many contemporary observers. With all due respect for unfledged reforms, we may fitly remind their advo-

cates that the force of a hard and stinging word like corruption is materially weakened by employing it in senses familiar only to the members of a small circle. Such reckless usage is similar to that of the party politicians criticised above, and it is similarly adapted to produce either a callous levity or a sour distrust of social integrity which in the end must react unfavourably upon every constructive effort for social betterment.

IV. The motive of a corrupt act must be *some advantage more or less directly personal.* The grosser the nature of the advantage sought and the more directly selfish the purpose, the worse from the moral point of view is the transaction. Thus in the case of venal voters or boodling aldermen we have direct transfers of money or its equivalent, to be employed later, it may be, solely to the advantage of the men who sell themselves. Or still more reprehensible, high police officials or even mayors of cities may be in receipt of sums which they know were paid originally by criminals or prostitutes for license to disobey the law. Perhaps we are too prone to think of all political corruption as consisting essentially of such gross cases and sordid transactions. In one way it is unfortunate that this is not the case, for, if it were, the task of defining and uprooting the evil by law would be comparatively easy. As a matter of fact we have to deal with every possible *nuance* of cor-

ruption, shading off from the most palpably illegal and immoral acts to apparently harmless transactions that are of everyday occurrence even in circles that would hotly deny the least imputation of wrong-doing.

Let us consider first the various gradations of corrupt action with reference to the advantages offered and sought. There are crassly venal persons, of course, whose itching palms are held open to receive cash bribes, but after all these are the small and stupid minority of the army of corruptionists. Many who would scorn a direct bribe are, however, quite willing to accept considerations more tactfully offered but almost as purely material in character—shares of stock, railroad passes, salaried positions, *etc.* In pointing out the distinction between bribery and corruption, the large possibilities of "auto-corruption" have been touched upon. The absence of a personal tempter seems very often to veil the real nature of a corrupt act, and contemporary usage completes the illusion of innocence. Tax-dodging is a case in point. Here the citizen is seeking, not a bribe, of course, but merely to cut down as far as possible an inevitable deduction from his income. He may depend upon his political influence, his friendship with assessors, his contributions to campaign funds, or upon the misrepresentation of facts in obtaining the reduction, but he would refuse indignantly to offer a cash bribe to secure action which he knew would be

disadvantageous to the government. He might refuse with equal heat to accept a cash bribe to secure his continued allegiance to a party or his continued support of particular politicians. It hardly occurs to him that in a sense he is bribing himself with a part of his own income. Of course this case leaves open the question of the justice of the tax and of the failure of the state to provide suitable technical safeguards to prevent evasion. Unjust or ill-constructed tax laws do not, indeed, justify corrupt action on the part of individuals, but they do transfer part of the moral guilt to the state. Other instances of veiled corruption readily suggest themselves—the intrigues of banks to secure the deposit of public funds, the devices employed to escape tenement-house, sanitary, or life-saving inspections, the appropriation by officials of government supplies or services as "perquisites" of office, and so on.[1]

Besides material inducements almost every object of human desire may tempt to corrupt action. Social position, personal reputation, office, power, the favour of women, the gratification of revenge —all these have been artfully adapted by corruptionists to bear with the greatest weight upon the tempted individual. Far more often, however, temptations of this kind originate within. They are the more dangerous because they prevail with

[1] *Cf.* C. Howard, "The Spirit of Graft," *Outlook*, vol. lxxxi (1905), p. 365.

men of much higher type than venal voters or boodling aldermen. But it will be objected that these are not necessarily objects of corrupt desire; that on the contrary they are currently recognised as part of the necessary driving power of political and other human activities, and praised as such by contemporaries and historians alike. The point is well taken in so far as it is maintained that such rewards are not necessarily sought by corrupt means. So far as that is concerned, the money which a corrupt legislator accepts is not bad in itself, nor need it be put by him to other than very creditable uses. The major evil lies in the deflection from duty which the money bought, in the resultant deterioration of character and in the contagion of bad example. Precisely the same thing may be said of the so-called higher objects of desire to gain which men sell their political honour. This distinction goes far toward disposing of the objection that such motives are not corrupt because they are currently recognised as necessary and beneficial in political life. So far as their effect is the reinforcement of the influences which make for the performance of public duty there is no reason why they should not be regarded as good. To regard them in the same way when they have a directly contrary moral effect is a pernicious perversion of a true idea.

Nevertheless the fact must be faced that the public conscience is often deceived on this point; and

that as a consequence practices are tolerated which will not bear the most cursory moral inspection. Sometimes these practices become so common that all consciousness of wrong-doing is lost. On this ground it might be maintained with reason that they are not corrupt according to the conventional morality of the time. It is this condition of affairs which makes the subtler aspects of corruption so much more dangerous and so much less easy to cope with than common bribery. Yet even here the outlook is hopeful. Corruption in its more insidious forms is not the vice of low intellects. Hence in many cases education of the public conscience will either suffice to banish these forms of evil or may be depended upon to find the legal means of destroying them. Our own recent experience with the abolition of railroad passes is a case in point, although passes can hardly be considered an extremely subtle means of corruption.

Corruptionists usually offer rewards of one kind or another to those whom they wish to make their tools. What if the same end is compassed by means of threats or injuries? Obviously the latter may be far more potent in a given case than the most alluring promises. Sometimes the two are employed together, enormous bribes being offered for compliance, and political, social, or financial ruin threatened for recalcitrance. Coercion of the latter sort may be used either to procure corrupt action or to check honest action. It is related of Governor

Folk that shortly after he embarked upon his relentless prosecution of the St. Louis boodlers, the latter combined and employed detectives to delve into every act of his life from the time of his boyhood in Tennessee up to his election as Circuit Attorney. Absolutely nothing was developed that could be used against him. The incident is suggestive, however, of what may have happened in the case of other men who desired to be honest politically but were handicapped by the fear of some forgotten scandal, perhaps of a purely personal character, in their past lives. Thus the strength of the moral condemnation visited by our society upon offences of a certain sort may become the most potent weapon in the hands of an unscrupulous boss or clique. The question remains whether the neglect or misperformance of duty procured by threats or injuries comes properly under the definition of corruption. The case is similar to admitted corruption in that both involve the idea of personal advantage. Morally, however, it would seem more reprehensible to seek or accept something desirable as the price of disregarding public duty than to disregard it under the threat of deprivation of some advantage already secured by honest effort. In the latter case the individual who is coerced may deserve some sympathy, but the individual who uses coercion adds a very ugly form of blackmail to the general guilt of his act. Whatever answer be given to the question

of definition raised above, it is worth noting that in speaking of corresponding virtues a distinction is made. Honesty in politics is insisted upon, but so also is courage. "It is, of course, not enough," writes President Roosevelt, "that a public official should be honest. No amount of honesty will avail if he is not also brave. . . . The weakling and the coward cannot be saved by honesty alone."[1] To this it might be added that under existing conditions courage in the sense of power to attack or withstand, must be coupled with an almost perfectly clean record in every way to be available as a political asset of any value in the fight against corruption.

V. Just as the advantages sought by corrupt action may shade off from the more to the less material, so also the *personal interest* involved is susceptible of numerous gradations from egoism to altruism. It may be entirely selfish, as in the case of a bribe credited directly to the bank account of the bribe-taker. It may be extended to include the welfare of relatives—a form of corruption so common as to have acquired a name of its own. It may be broader still, appearing as favouritism to friends. Finally, it may be so extended that the individual interest is merged in the interest of certain groups, such as the party, the church, the labour union, the secret society, and so on. The

[1] *Outlook,* 65: 115 (May 12, 1905).

state is by no means the only sufferer by this process, any more than it is the only social group afflicted by corrupt practices. An official sentimentally mindful of the needs of Mother Church may cheerfully consent to burden the public treasury with a large part of the cost of maintaining an orphan asylum mismanaged by ecclesiastical officials. Political influence may be brought to bear upon Rome to secure the creation of a new American cardinal acceptable to certain influential classes in this country. Desire to placate the labour vote has paralysed the employment of the police power by governors or mayors to put down violence during strikes. And labour leaders, seduced by promises of office, have consented to misrepresent and betray their followers. Complementary illustrations of this sort might be cited indefinitely.

It is not maintained that the larger part of the interrelations of social groups is tinged with corruption. Directly the contrary is more nearly true. Thus the interests of the state and of the family are so largely coincident that the latter is frequently spoken of as the unit of the former. Nevertheless family interests may be cultivated very greatly to the detriment of political life. Many flagrant examples of nepotism and the all too prevalent neglect of the duties of citizenship to cultivate those of the family circle are cases in point. It is no mere coincidence that one of the most soddenly corrupt municipalities in the United

States is peculiarly distinguished as the "City of Homes." Again, a business man may be vastly more efficient as citizen or public official because of his experience in business, but, on the other hand, he may make use of this experience to plunder the state, or he may allow himself to become so thoroughly engrossed in money-making that others plunder it with impunity. Knowledge gained by social intercourse with parents may enable the teacher to perform his work with far greater discrimination as to the individual peculiarities and needs of the children under his tuition, but it may also tempt him to gross favouritism and toadyism.

In discussing cases of corrupt action procured by inducements not directly material in character it was pointed out that current moral opinion does not clearly recognise the evil involved. Similarly it may be indicated that many of the less somber *nuances* of corruption resulting from the selfish interrelations of social groups hardly deserve condemnation, because they are not commonly recognised as deflections from duty. This may be conceded so far as the present conditions of morals is concerned; but under any sharper analysis than is currently employed the element of corruption contained in such actions is manifest. The difficulty of the situation is enhanced by the fact that it is extremely hard to separate and define duty and self-interest in many of the relations of social and

individual life. Nevertheless the effort must be made. We must distinguish and define economic interest, family interest, public interest. We have for our guidance the great general principle: " Render to Cæsar the things that are Cæsar's, and to God the things that are God's." It is no valid plea in avoidance that it is hard to distinguish the things that are Cæsar's and the things that are God's. Rather would it seem to be enjoined upon a robust morality incessantly to search the heart regarding all the details that arise in following the commandment.

The most perplexing questions that arise in this interrogation of duty spring from the conflict between fundamental and general moral ideas and the customs of various social groups. It is considered entirely allowable and laudable, for instance, that a father should encourage his son to succeed him in business, even if the business be not his but that of a corporation in which he is simply an official. Many of the means employed to this end—education, travel, apprenticeship, and so on —are beyond reproach. Others involve gross favouritism and disregard of the merits of employees not connected with the family. The most noteworthy point involved in this illustration is that a procedure which passes without question in business and family circles is recognised as reprehensible in politics. From this discrepance in social judgments it follows, however, that the man who

has made a success in politics may find it very difficult to see anything but the far-fetched morality of the "unco-guid" in the proposition that he may not provide places in the public service for his relatives and dependents, just as the man who has been successful as a merchant or manufacturer is in the habit of doing in his store or factory.

It would be possible to point out many similar divergences between the fatherly and motherly indulgence of family life, the charity, long-suffering, and forgiveness of Christian faith, the easy tolerance of social life on the one hand, and, on the other, the ideal of justice, cold and impassive, which we associate with the state. In her admirable discussion of "Friendship and Politics,"[1] Mrs. Simkhovitch has given us what is, on the whole, a very sympathetic picture of the poor man who would scorn to sell his vote outright but who delivers it blindly to the "big hearted" ward leader, whose kindly interest and protection he so constantly needs to secure work and avoid oppression. It is hardly fair to characterise his attitude in slightly ironic phrase as dominated by the principle of the "sacredness of the job." Hard, continuous labour and the support of a family under such conditions are virtues of no small proportions. In large part, as Mrs. Simkhovitch has pointed out, devotion to the ward leader may be much less the expression of selfishness than of the traditional

[1] *Political Science Quarterly,* vol. xviii (1902), p. 188.

loyalty of a race, class, or neighbourhood. Such loyalty, within limits, must also be accounted a virtue. Finally, in attempting to judge the case, we must inquire into the opportunities which voters of this sort have had for acquiring high ideals of civic conduct. Are the best attainable results secured by our systems of education, poor relief, correction, and taxation? Need nothing further be done to prevent child labour, to furnish better housing conditions and to safeguard the public health?

If we concede the necessity of social reform in these or any other directions, we impliedly recognise either the failure of society to live up to its own ideals or the necessity of new and higher ideals of social conduct. And this recognition involves the assumption of part of the moral guilt of existing corruption by society itself. Mr. G. W. Alger has noted the current dissatisfaction with the ideal of pure cold justice.[1] He also insists, correctly enough, that justice is the rock upon which alone generosity can safely build. The two ideals should not, however, be dealt with as fundamentally incompatible. Not since the time when Thomas Aquinas first recognised the caritative function of the state has such a view been tenable. More and more the state has endeavoured in modern times to live up to this duty of protecting the poor and weak. Its fuller realisation will

[1] *Atlantic*, vol. xcv (1905), p. 781.

mean the disappearance of many of the existing causes of corruption.

One aspect of corruption for motives not entirely personal must be dealt with separately, both because of the moral casuistry involved and because of its practical importance. This is the acceptance and use for party purposes of money paid to bosses or other leaders for the corrupt use of their political power. While the personal interest of the politician as a member of the party organisation is usually involved to some extent in such transactions, the purely selfish element may be extremely attenuated. Thus Floquet, accused of having accepted money for his favourable vote as member of the French Chamber of Deputies on the Panama canal scheme, defended himself on the ground that every *centime* of the sum paid him had been used for the benefit, not of himself, but of the party to which he belonged.[1] Thurlow Weed is alleged to have used his political control of the New York state legislature in 1860 to secure the granting of several franchises for street railways in New York city to a gang of lobbyists, and to have spent the four to six hundred thousand dollars of "campaign contributions" obtained in this manner to back the candidacy of Seward for the presidential nomination at the Chicago convention of the Republican party. In such cases not a cent of the corruption fund may stick to the

[1] J. E. C. Bodley, France, bk. iii, ch. vi, p. 306.

hand of the party chief receiving it. Indeed it is not inconceivable that his devotion to party ends or to a party leader might induce him to pursue a corrupt course of conduct even though he foresaw his own ruin, politically or otherwise, as the certain result of his action.

Cases of the foregoing sort force us to a recognition of the fact that when political passion has reached its climax, as at the end of a hard fought campaign involving great principles, all considerations besides party success are apt to sink into nothingness. Properly considered, of course, the party organisation is a social institution subordinate to the state, but it differs materially in one way from other social groups of the same rank, such as business associations, the church, the family, *etc.* The latter accept their subordination more or less passively, but the party avowedly seeks to gain control of the government. Of course it professes its intention to conduct public business honestly and for the benefit of the whole people, but fine distinctions such as these are apt, in the heat of the conflict, to be lost sight of by practical politicians. Not unnaturally they identify the interests of the state with the interests of their party, and the acceptance of dishonest money, with the possible danger which such an act involves, may easily seem to them a patriotic duty rather than a heinous offence. In all their corrupt bargaining they are conscious of a certain devotion to

ideal ends. They may sell franchises, but they would refuse to betray a candidate. They may allow a local gang whose support is essential to loot a city government, but they would not abandon a fundamental party principle. On the contrary they would defend their conduct as designed to secure the triumph of a great right by the commission of a small wrong.

This argument is perhaps the most subtle that can be offered, and the form of corruption for which it finds a quasi-justification is assuredly the most dangerous with which we are confronted today. It will be observed, however, that the foregoing illustrations involve a higher range of motives than can be ascribed to our ordinary political bosses. Doubtless there have been exceptional cases of party leaders who, for minor but corrupt governmental favours, have accepted money and turned every cent of it into the party treasury for honest propaganda work. But once admit this conduct to be justifiable and the day of such leaders will soon be over. Inevitably they must be succeeded by less scrupulous politicians who will sell public property and betray public interests right and left, and, after deducting large sums to feather their own nests, still be in a position to contribute to the support of the party more largely than any conscientious leader. Under these conditions the political influence of wealthy corporations or wealthy men will be limited solely by the

amount of money they are willing to spend. No matter with what reservations and good intentions such practices are entered upon, they will mean in the end nothing more and nothing less than that government is on hire or on sale to the highest bidders. There is no easier road by which democracy may pass over into plutocracy; and it is indeed fortunate that the American people in its recent attitude toward the question of campaign contributions has begun to show an adequate realisation of the danger confronting it.

To sum up the argument presented in the foregoing pages, it should be noted that while it is comparatively easy to formulate a definition of corruption, to point out the difference between the legal and ethical conceptions of the matter, to distinguish between bribery and auto-corruption and, in general, to mark out the logical boundaries of the field, the application of these definitions and distinctions is made immensely difficult by the variety of political institutions, the divergence of political practices and the conflict between general opinion and class opinions. A number of conclusions would nevertheless seem to deserve at least tentative expression.

(1) The prevalence of charges of corruption and of actual corruption in American politics is not of itself proof of our inferiority in political morality to the other great nations of the world.

(2) Considering opportunities and temptations, our current political morality is at least not yet proven to be inferior to our business and social morality in general.

(3) Unsupported charges of corruption are too frequently indulged in by practical politicians, reformers, and conservatives, the results being a popular moral callousness and a loss of social confidence which render all constructive work more difficult.

(4) Acts involving corrupt motives range in current social estimation all the way from heinous felonies to minor foibles. The view that there are only a few "corruptionists," all of whom richly deserve criminal sentences and might receive them without unduly crowding our penitentiaries, is a grotesque misconception. Instead of this we must recognise frankly that self-interest and social interests are inextricably bound up as motive forces of our social machinery, often working in harmony and reinforcing each other, but sometimes colliding and presenting new questions for moral determination and social protective action.

(5) From among such cases of collision between social and self-interest we must endeavour to single out those most obviously harmful to society and the state, and, not content with branding them as morally bad, we must formulate legal prohibitions supported by penalties severe enough to check the evil. Particularly important in this

field of work is a thorough solution of the whole problem of campaign contributions.

(6) Certain cases in which political action is determined by corrupt considerations may be more effectively combated with moral than with legal sanctions. These are cases which threaten no very serious consequences, cases in which the corrupt considerations are not directly material in character, cases in which personal advantage is not so much sought as the advantage of some social group, and all other cases of so subtle or undecided a character that definite legal action, at least under existing conditions, is impossible. In the presence of many such difficulties we can only plead for a clearer recognition by the individual of duty to the state and to society as a whole. On the other hand, society and the state as now constituted fall short of a full and humane ideal of justice and hence are partly responsible for existing corruption.

Finally it should be said that all effective work against corruption must be two-fold. On the one hand we must endeavour to raise moral and legal standards to a higher level. On the other hand we must unrelentingly prosecute actual offences to the full extent of existing law. Work of the first sort must be either impersonal or based upon well authenticated facts. Work of the second sort must above all things be subjected to a wise restraint; sweeping charges resting merely upon sus-

picion must be scrupulously avoided; direct and well-founded charges must be put into legal form and fought to the last resort. Reformers should learn to bring down all direct and personal accusations to the level of existing law, until they have succeeded in bringing the level of the law up to their ideal standard.

CORRUPTION: A PERSISTENT PROBLEM OF POLITICAL AND SOCIAL LIFE

III

CORRUPTION: A PERSISTENT PROBLEM OF POLITICAL AND SOCIAL LIFE

In its broadest significance, corruption has been defined as "the intentional misperformance or neglect of a recognised duty, or the unwarranted exercise of power, with the motive of gaining some advantage more or less directly personal." Evil of this sort may occur not only in the state, but also in the church, the family, in business associations, and every other kind of social body. One may infer from the nature of corruption itself that if developed to an extreme degree it will cause the dissolution of any organisation affected by it. Every social body requires as a prime condition of its existence a certain subordination of individual interest to the general interest. Corruption essentially means the preference of the former to the latter. If self-interest continuously grows more potent while group interest *pari passu* declines, evidently the social organisation so affected will weaken and finally die. "The king by judgment establisheth the land: but he that receiveth gifts overthroweth it." Universally triumphant corruption, therefore, would destroy the body from which it had drawn the sustenance for its own parasitic

life. Anarchy would be far preferable to the extreme logical consequences of corruption. For anarchy seeks to destroy only the compulsory political forms of human society, leaving men free to associate voluntarily in all other ways, whereas ultimate corruption would loosen every social bond and reduce humanity to the state of nature as Hobbes conceived it:—*bellum omnium contra omnes.*

Corruption, then, is a social disease that may terminate fatally. Social death does not always occur because of it, but from the social point of view it is always a pathological condition. Few of the great tragedies of history involving the fall of nations or of mighty institutions can be explained fully without reference to the antecedent corroding influence of corruption. It had a part in the decline of Greece and Rome, in the Protestant Reformation, the overthrow of the Stuart dynasty in England, the partition of Poland, and the French Revolution. Other causes contributed to these events and were perhaps more largely instrumental in bringing them about,—ignorance, inefficiency, tyranny, immorality, extravagance, and obstinacy,—but in each instance corruption was also present on a large scale. Even in cases of historical catastrophes where the crushing force was applied from the outside it is usually possible to discern how the victor's path was smoothed by the disintegrating effect of corruption upon the

social structure of the vanquished.[1] For this reason Europe fell more easily before Napoleon from 1796 to 1812, imperial France before Germany in 1870-'71, and Russia before Japan in 1904-'05.

While the disastrous consequences of widespread corruption as shown by such instances are not to be lightly underestimated, it is evident, on the other hand, that corrupt conditions may exist even on a considerable scale without bringing about the extreme penalty of disintegration or conquest. Recoveries little short of the miraculous are sometimes noted in this field of social pathology. It would be difficult to conceive a lower stage of degradation than that reached by the English ministry and parliament during and immediately following the time of Walpole, yet to-day England enjoys the reputation of possessing one of the most honest and efficient governments in the world. American municipal reformers sometimes despair of any efficacious remedy for the corruption which prevails in our cities. They should take heart

[1] It would, of course, be absurd to assume that every victor in such contests is free from all taint of corruption. A very large and powerful state may, although extremely corrupt, succeed in overcoming a small and weak state which is relatively free from corruption. Something akin to this occurred when Finnish autonomy was suppressed by Russia in 1902. On the other hand it is evident that in such a struggle the honesty of the small state would be in its favour while the corruption of the great state would be a source of weakness.

upon observing the degraded conditions which prevailed in Prussian municipalities prior to Stein's *Städteordnung* of 1808, and in England prior to the Municipal Reform Act of 1835. In both instances formerly corrupt conditions have been succeeded by honest and efficient municipal systems which are observed with envy and commented upon with admiration the world over.

The conclusion which the foregoing illustrations seem to warrant is that while corruption is a pathological condition which in an extreme degree may lead to social death, it is also susceptible to treatment which may bring about recovery with renewed and even enhanced vigour. Between these two extremes every degree of partial strength or weakness may exist in a social body as a result of the presence or after effects of corruption. The Roman Church suffered a tremendous loss of influence in Western and Northern Europe as a result of the Reformation. It has never recovered this territory, but it survived as an institution which, modified by internal reforms, has acquired a greater influence and a greater number of communicants than the mediæval church ever dreamed of. Spain, partly through corruption, lost her colonial empire, but the mother country remains intact. True Lord Salisbury called it a "decadent nation," but at least it is not in ruins. Germany was victor over corrupt imperial France in the last great European war. The progress of the *Vater-*

land since that event seems phenomenal, but already uneasy voices, troubled at contemporary conditions, particularly in the army and the emperor's immediate entourage, are raising the question: "What does the future hold for us,—Jena or Sedan?" Conquered in 1870-'71, the French, in Gambetta's deathless words, nevertheless remained "a great nation which does not wish to die." The history of the Third Republic has been besmirched at times by scandals of the most offensively corrupt character. Yet in spite of this and other national weaknesses the outside world is probably altogether too much inclined to underestimate the latent strength of modern France.

Contemplation of the general evils which may result from corruption suggests the possibility of eliminating it from social life. While such a condition of affairs may be looked upon as an ideal, it will nevertheless remain an ultimate ideal which can be approximated rather than realised, and that only by the most patient, determined, and continued effort. Every social organisation, as we have seen, presupposes the subordination in some measure of personal to broader interests. But no matter how far social integration is carried, and social duty correspondingly emphasised, there will always remain a field for individual effort. Absolute communism in which the state shall be everything and the individual nothing is unthinkable. Even where the individual as such is but little re-

garded, he will remain a member of small social groups, as *e.g.*, the family or business corporation, the interests of which are almost if not quite as close to him as the interests of his naked ego. The lines bounding the two great fields of individual interest and social interest are variously drawn in different countries and at different times. No doubt they will be redrawn in the future, probably greatly to the extension of social functions if one may judge from the present drift. Always, however, the two great fields will remain, and the best results in each will depend partly upon the activities of the other. In the main these activities do not conflict, indeed they strongly reinforce one another. When the individual pursues his daily work diligently and intelligently, although primarily with a selfish end in view, he is nevertheless adding to national wealth and welfare. So also with most of the activities of the family, the church, the club, and the business corporation. In each of these cases, however, it is inevitable that conflicts will sometimes occur between individual and narrow group interests on the one hand, and broader social interests on the other. These conflicts may gradually take on less selfish and less dangerous forms, but will hardly disappear so long as the character of the individual and the constitution of society remain fundamentally unchanged. The problem of corruption, therefore, is a persistent one. There will always remain the possi-

bility of moral struggle for improvement; there will never be absolute perfection in these extensive and involved relationships.

A very striking implication of the persistent character of the problem may be found in the fact that much of the current terminology of political science implies the presence of corruption as a common factor in the life of the state. To modern students Greek classifications of forms of government appear rather naive, considered simply as classifications, but many of the separate terms employed in them nevertheless remain in general use. Plato, for example, describes the decline of the pure Republic ruled by philosophers who are actuated by the highest motives, first into Timarchy, next into Oligarchy, then into Democracy in the sense of mob rule, and finally into Tyranny. We must infer that in the real world, as the Philospher saw it, the number of perfect Republics, granting that such beatific political entities or any acceptable approximation to them could exist, would be far less than the number of degenerate states. The common characteristic of all the latter from Timarchy to Tyranny is the predominance of some form of personal or narrow group interest over the highest interests of the state. In other words the great majority of state forms as classified by Plato are to be distinguished by the degree and kind of corruption they exhibit. Aristotle's distinction between pure forms of constitutions,—Royalty, Aris-

tocracy, and Polity,—and the corresponding perverted forms,—Tyranny, Oligarchy, and Democracy,—is based fundamentally upon the existence of purity or corruption in the sovereign, whether it be composed of the one, few, or many. Dealing as he was largely with actual constitutions, Aristotle makes it clear that in the world as he knew it, the corrupt forms of government, particularly oligarchy and democracy, were much more common than the pure forms, that, in fact, some degree of corruption was frequent, and purity, on the other hand, exceptional in political life. Other classifications of states regardless of their moral condition are, of course, possible. Mr. Seeley has given us one that, for modern purposes, is certainly much more useful than the Aristotelian. The continued use of the latter in common speech and, to a somewhat less extent in historical and scientific discussion, is evidence, however, of a high degree of availability in describing actual political conditions or what are believed to be such. And since this terminology implies the existence of corruption as an ordinary accompaniment of political life, its wide acceptance and continued use strengthens the conviction that corruption in some form is a persistent problem of politics.

While the general problem bids fair to remain with us always, the particular forms and extent of corruption will be subject to change in the future as in the past. History justifies the hope that these

changes will be for the better.[1] Many of the grosser forms of corruption current in earlier periods are impossible now. Charles II. was not the only king of his century who accepted corrupt subsidies from foreign monarchs. At the present time it is impossible to doubt that the essential loyalty of the executive heads of the principal civilised countries of the world would be demonstrated unmistakably in case they should be approached by corrupt solicitation from the outside. The modern spirit of nationality and patriotism would wreak tremendous vengeance upon any royal offender against it. The loyalty of contemporary monarchs, however, is probably due in very slight degree, if at all, to the fear of punishment. In addition to the responsibility enforced upon constitutional kings, a keener sense on their part of participation in the national spirit and higher standards both of personal rectitude and of international dealings make corruption of this sort well nigh unthinkable in the modern world. To a large measure also these virtues have been extended over

[1] Although most of the references to historic forms of corruption presented in the following pages are taken from the comparatively recent annals of nations which are still living, it is worth noting that the subject could also be illustrated abundantly from ancient history. Even prior to the Christian era Rome suffered from various kinds of political corruption that exist in very similar forms at the present day. Readers of the Old Testament find, particularly in the books of Isaiah and Micah, denunciations of social evils not unlike those published in contemporary magazines.

the whole administrative service of civilised states and absorbed as a part of current moral practice. Hence even in the case of inferior officials who have been seduced by foreign bribes, as *e.g.*, the sale of military plans and secrets, a heavy penalty of popular obloquy is added to the severe penalty of the law.

The mention of Charles II. suggests another form of corruption, the earlier wide extension of which is familiar to every reader of history. In times past royal mistresses appeared openly at court, secured titles of nobility and grants of land for themselves, their children, and their favourites, dictated appointments in the civil and military service, and overruled decisions of internal and foreign policy. It may be admitted that the sexual morality of some contemporary monarchs is not above reproach. Yet the evil, so far as it exists to-day, is largely personal, and is chiefly objectionable because of its unfavourable influence upon the family life of the people at large. No modern king ruling over a civilised country, it is safe to say, could openly flaunt his mistresses and allow it to be seen that his passion for them affected his policies as head of the state.

As another illustration of the disappearance of certain forms of corruption once extremely common the famous case of Lord Bacon may be cited. His offence as Lord Chancellor consisted not in the taking of presents from suitors, for to do so

after judgment was the open practice of the time. Inadvertently, however, Bacon accepted a present before a case was decided, and this was made the basis of the charge of corruption which brought about his downfall. The morality of the time had reached a stage at which it perceived clearly the corrupting effect upon the judicial mind of presents in advance of a decision, and held them to be bribes. It had not reached the modern point of view that the expectation of a present after giving decision is also corrupting, particularly since the present of one of the litigants is very likely to be larger than that of the other. One can safely maintain that the open receipt of presents by judicial officers of higher rank is extremely rare in English speaking countries and in Western Europe at the present time. Judges of our own lower courts are sometimes accused of truckling to the party influences to which they owe their election, but so far as it exists this is a much more subtle and surreptitious form of corruption than present giving, or as it would frankly be called nowadays, bribe-giving by litigants.[1] Any approach, or even

[1] Herbert Spencer shows "that from propitiatory presents, voluntary and exceptional to begin with but becoming as political power strengthens less voluntary and more general, there eventually grow up universal and involuntary contributions—established tribute; and that with the rise of a currency this passes into taxation" ("Principles of Sociology," vol. ii, pt. iv, ch. iv, p. 371), and further that "In our own history the case of Bacon exemplifies not a special and late

appearance of approach, to offences of the latter sort would call forth sharp expressions of condemnation. In his "Four Aspects of Civic Duty," President Taft presents a very striking and acute argument on the necessity of the exercise of extreme circumspection by judicial officials which will serve to illustrate the progress in morals from Lord Bacon's time to the present:

"A most important principle in the success of a judicial system and procedure is that the administration of justice should seem to the public and the litigants to be impartial and righteous, as well as that it should actually be so. Continued lack of public confidence in the courts will sap their foundations. A careful and conscientious judge will, therefore, strive to avoid every appearance from which the always suspicious litigants may suspect an undue leaning toward the other side. He will give patient hearing to counsel for each party, and, however clear the case may be to him when stated, he will not betray his conclusion until he has heard in full from the party whose position cannot be supported. More than this, it not infrequently happens, however clear his mind in the outset, that argument, if he has not a pride of first opinion that is unjudicial, may lead him to change his view.

practice, but an old and usual one" (p. 372). Bribe giving may, therefore, be regarded as a lineal descendant of an old practice once regarded as legitimate, but now fallen under the ban. Given a social state in which public dues are open, regular, and fixed in amount, and in which bribery is distinctly reprobated, as contrasted with a social state in which present giving is common and tolerated or defended by public opinion, the higher moral standard of the former would seem beyond question.

"This same principle is one that should lead judges not to accept courtesies like railroad passes from persons or companies frequently litigants in their courts. It is not that such courtesies would really influence them to decide a case in favour of such litigants when justice required a different result; but the possible evil is that if the defeated litigant learns of the extension of such courtesy to the judge or the court by his opponent he cannot be convinced that his cause was heard by an indifferent tribunal, and it weakens the authority and the general standing of the court.

"I knew of one judge who indignantly declared that of course he accepted passes, because he would not admit, by declining them, that such a little consideration or favour would influence his decision. But in the view I have given above a different ground for declining them can be found than the suggestion that such a courtesy would really influence his judgment in a case in which the railroad company giving the courtesy was a party."[1]

The intimate relation between present giving and bribery, suggests another illustration somewhat similar to the preceding. Readers of the famous diary of Samuel Pepys are familiar with the fact that in his official capacity as Clerk of the Acts and Surveyor General of the Victualling Office he often accepted presents. In one instance we find him quoting with grave approval the sage observation of his patron, Lord Sandwich, to the effect that "it was not the salary of any place that did make a man rich, but the opportunity of getting

[1] *Op. cit.*, pp. 44-45.

money while he is in the place."[1] Venal as it may appear to the modern reader Pepys undoubtedly lived up to this precept, and owed to its consistent practice the very considerable property which he afterwards amassed. Yet one would be over hasty to conclude that the author of the "Diary" was an arch corruptionist. On the contrary he was so distinctly superior, both in efficiency and honesty, to most of his colleagues, that he won much well-merited recognition and succeeded in retaining office practically throughout the whole Restoration period in spite of the many upheavals and intrigues of that troublous time. While Pepys frankly admits that he accepted presents he insists that he never forgot the "King's interest." The manifest danger of allowing an official to measure in this way the quality of service due a sovereign, does not seem to occur to the diarist. On the other hand, he refers frequently, and usually in terms of condemnation, to many contemporaries in the administrative service who, at least in his opinion, were much less scrupulous than they should have been in determining the "King's interest." Thus he records the utterances of a certain Cooling, the Lord Chamberlain's secretary and a veritable drunken roaring Falstaff of corruption, who boasted that "his horse was a bribe, and his boots a bribe; and told us he was made up of bribes, as

[1] "The Diary of Samuel Pepys," edited by Henry B. Wheatley, vol. i, p. 207, entry of date of August 16, 1660.

an Oxford scholar is set out with other men's goods when he goes out of town, and that he makes every sort of tradesman to bribe him; and invited me home to his house, to taste of his bribe wine."[1] Sometimes, indeed, Pepys became involved in transactions where the "King's interest," as he measured it, received less than its due share of attention. We find him fearing investigation in such cases, and withdrawing from them with the resolution not to allow himself to become similarly involved again. Yet on the whole there is every evidence of a conscious feeling on his part of rectitude superior to the administrative morals of the time. That it was largely justified in spite of the receipt of gifts may be seen from Dr. Wheatley's comment to the effect that "public men in those days, without private property, must have starved if they had not taken fees, for the King had no idea of wasting his money by paying salaries. At the time of Pepys's death there was a balance of £28,007, 2 *s.* 1 1-4 *d.* due to him from the Crown, and the original vouchers still remain an heirloom in the family."[2]

Appointments to public office have been a fruitful field for corruption in many forms. In his "Civil Service in Great Britain," Mr. Dorman B. Eaton sums up the whole history of the disposal

[1] *Op. cit.*, vol. vii, p. 49, entry dated July 30, 1667.

[2] "Samuel Pepys and the World He Lived In," by Henry B. Wheatley, p. 62.

of patronage in England in the following statement:—"From the despotic system, under the Norman kings, through various spoils systems under arbitrary kings—through a sort of partisan system under Cromwell—through fearful corruption under James and Charles—through a sort of aristocratic spoils system under William and Anne—through a partisan spoils system under George I. and II., and a part of the reign of George III.—through the partisan system in its best estate in later years—we have traced the unsteady but generally ascending progress of British administration; and, in 1870, we shall find it to have reached a level at which office is treated as a trust and personal merit is the recognised criterion of selection for office."[1] It would be a most absurd anachronism to regard all the earlier practices referred to by Mr. Eaton with the horror of a modern civil service reformer. Richard the Lion-Hearted could hardly have comprehended the advantage of competitive literary examinations open to all classes of his subjects as a means of selecting his subordinates. When under the Plantagenets and Tudors "charters and monopolies, in a fit of good nature, were tossed by a king to some borough, great officer, or favourite that had pleased him; and, in a fit of anger or drunkenness—as arbitrarily revoked,"[2] it must be remembered that neither the law nor the morals of the time severely condemned such

[1] *Op. cit.*, pp. 161-162, note.

[2] *Ibid.*, p. 15.

actions. No wonder, therefore, that "the old system was bold, consistent, and outspoken—not pretending to make selections for office out of regard for personal merit or economy, or the general welfare. It plainly asserted that those in power had a right and duty to keep themselves in power and preserve their monopoly in any way which their judgement should approve, and that the people were bound to submit."[1] Further "the right to appoint to office and to sell the appointment openly for money became also, and long remained, hereditary; sometimes in great families and sometimes in the holder for the time being of the offices themselves."[2] No doubt the exercise of such rights of purchase was once regarded generally as no more objectionable than the sale of a private physician's practice or the sale of the good will of a business at the present time. But while the various earlier methods of disposing of the patronage as sketched by Mr. Eaton must be judged with reference to contemporary political morality, it is true that each of them in turn fell into disrepute, was abolished—often only after several trials—and finally superseded by a less faulty system. Even as far back as Magna Charta the existence of a faint conception of the modern civil service principle is made plain by the Forty-fifth Article, according to which the King engaged not to "make any justices, con-

[1] *Ibid.*, p. 42.

[2] *Ibid.*, p. 16.

stables, sheriffs, or bailiffs, but of such as know the law of the realm." All the great subsequent uprisings of English history were directed in part against certain other abuses of the corrupt patronage system. The Tyler and Cade Rebellions in the fourteenth and fifteenth centuries, the great Civil War, the expulsion of James II., the overthrow of Walpole, the failure of George III.'s attempt at personal government,—each marked a higher standard of public sentiment on the question. Between 1820 and 1870, the great modern civil service reform orders were passed, resulting in the final establishment of open competition for over 80,000 positions under the English government. Opportunities for corrupt practices in connection with appointment to office are, of course, not entirely excluded even by so thoroughgoing a system as that which now exists in England, but they are few and unimportant indeed compared to the possibilities of selfish abuses under former régimes.

It is by no means necessary to review the whole sweep of a nation's history in order to observe the discarding of old, and the evolution of newer and usually less dangerous forms of corruption. Such a career as that of Tweed would be impossible in any American city to-day. The crude methods he employed,—raising bills, throwing contracts to members of the Ring, keeping false books, delaying financial reports,—would certainly and

promptly send any one who attempted them at the present time to the penitentiary. Indeed no small part of existing municipal legislation can be traced back to the specific misdeeds of Tweed and others of his ilk. On the other hand it must be admitted that the ablest corruptionists sometimes show skill little short of genius in devising new schemes to avoid the pitfalls of existing law and in keeping always just beyond the grasp of new enactments. Mr. Steffens tells a story of Chris Magee, former boss of Pittsburgh, to the effect that he visited and made a most careful study of the machines of Philadelphia and New York and particularly of their defects, finally returning to his own city with the conviction that a "ring could be made as safe as a bank."[1] In this field, as in the ethics of business management and elsewhere, there will probably always be a running duel between anti-social action and legislation designed to check it. Novel methods of corruption will constantly require novel methods of correction. In the nature of the case the law will usually be slightly behind the artifices of the most skilful corruptionists: abuses must exist and be felt as such before the government can successfully define and punish them. On the other hand this constant development of the law should make corrupt practices increasingly difficult for the less gifted rascals who must always constitute the great majority of would-be offenders. As things

[1] "The Shame of the Cities," p. 152.

are now the ignorant heeler, and even the crooked tool who has received an ordinary education, realise that they cannot play the game alone. Their only hope of escaping the penitentiary is in the service of the machine whose leaders understand the legal requirements of the situation, and possess the skill or influence necessary to circumvent them.

While the consequences of corruption must in general be weakening and disintegrating, their full import may be concealed or postponed owing to the limitation of the evil condition to certain branches or spheres of government which for the time being are not called upon to function to their full capacity. A chain is no stronger than its weakest link, but it may serve very well so long as no great tensile strain is applied to it. The military arm of a government otherwise honest and efficient might conceivably become well nigh paralysed by corruption without any particular evil consequences so long as hostilities were avoided. All the more terrible, on the other hand, would be the awakening in case of the advent of war. The reverse case is suggested by Tennyson:

> "Let your reforms for a moment go!
> Look to your butts and take good aims!
> Better a rotten borough or so
> Than a rotten fleet and a city in flames!"

Here the point is that a corrupt local government need occasion little or no disadvantage during a

state of war provided the army can be relied upon thoroughly. Further the poet warns against agitation for the reform of internal abuses lest it might weaken the country in the presence of a foreign foe. Doubtless both points are well taken so far as an immediate emergency is concerned. If war is not imminent, however, that government would certainly be making the best preparation against future trouble which sought to establish the highest standard of honesty in both its civil and military services. Thus the Freiherr vom Stein immeasurably strengthened Prussia for the final conflict with Napoleon by reforming the rotten boroughs of his country and appealing on the basis of this reform to the patriotism of the liberal classes of his fellow citizens. Moreover there would seem to be little real danger of urging internal reforms so violently during periods of warfare as to cripple military strength. Of course if a government has been reduced to the last extremity of unpopularity by past mismanagement, revolutionists might take advantage of a declaration of war to tear it to pieces, hailing foreign troops as allies rather than opponents. In the more advanced countries of the modern world, however, the spirit of nationality and patriotism is so highly developed that internal reforms are instantly relegated to the background at the least threat of foreign embroilment. To such peoples the poet's adjuration to

is hardly needed.

Definite instances of corruption affecting certain spheres or departments of government particularly may readily be suggested. There is much that is significant in the corruption of the judicial officials of China. Ultimately they became so rapacious that merchants feared to come before them, preferring to leave commercial differences to be settled by the arbitration of officers of guilds of which the business men themselves were members. Thus corruption of one social organ may lead to its atrophy and the corresponding strengthening of another social organ which takes over the functions of the former. Assuming that the function is as well performed in the second case, the internal life of the whole structure in which the transition takes place may be very little affected except while the change is going on. If, however, the state is continually weakened by such transfers while at the same time the functions remaining to it become rotten with corruption it may finally reach the condition of abject defencelessness which China has shown in its relations with other nations.

Another very curious case of corruption limited to certain spheres of government is furnished by Japan. In his authoritative work on that country,[1]

[1] "Japan, Its History, Arts, and Literature," by Captain F. Brinkley, vol. iv, p. 250 *et seq.*

Captain Brinkley expresses the opinion that the higher and lower official classes are free from corruption while the middle grade is more or less given over to it. The passage containing this statement is so germane to the present discussion that it may be quoted in full:

"There is an old and still undecided controversy among foreign observers as to bribery in Japan. Many Japanese romancists introduce the *douceur* in every drama of life, and historical annals show that from the seventeenth century downward Japanese rulers legislated against bribery with a degree of strenuous persistence which seems to imply conviction of its prevalence. Not only were recipients of bribes severely punished, but informers also received twice the amount in question. Japanese social relations, too, are maintained largely by the giving and taking of presents. Visits to make or renew an acquaintance are always accompanied by gifts; the four seasons of the year are similarly marked; even deaths call for a contribution to funeral expenses; nearly all services are 'recognised,' and guests carry back from their entertainer's house a box of confectionery or other edibles in order that the households may not be entirely excluded from the feast. The uses of such a system evidently verge constantly on abuses, and prepare the observer to find that if the normal intercourse of life sanctions these material aids, abnormal occasions are likely to demand them in much greater profusion. All evidence thus far obtained goes to prove that Japanese officials of the highest and lowest classes are incorruptible, but that the middle ranks are unsound. A Japanese police constable will never take a bribe nor a Japanese railway *employé* a *pour boire,* and from Ministers of State to chiefs of departmental bureaux

there is virtual freedom from corruption. But for the rest nothing can be claimed, and to the case of tradespeople, inferior agents, foremen of works, contractors, and so on, the Japanese proverb may probably be applied that 'even hell's penalties are a matter of money.' "

A third illustration of the uneven distribution of corruption throughout a political structure may be found in our own case. In the United States, as is well known, the general opinion of the honesty and efficiency of the federal government is extremely high; state government enjoys considerably less repute; and municipal government is pretty commonly and indiscriminately condemned. Even in the case of the latter, however, it is worth while to observe that in some cities otherwise considered almost hopelessly bad, certain departments, notably public schools and fire protection, are recognised as being managed on a much higher plane than other branches of the municipal service. In such cases public recognition of the importance of the departments concerned has led to an insistence on efficiency and honesty that has proven effective. The conclusion would seem to be well founded, therefore, that a proper recognition by our city population of the vital importance of other branches of the service, such as sanitation, refuse disposal, water supply, building and housing inspection, letting of contracts, and so on, would go far toward bringing about much needed improvements.

It would also appear that corruption may be omnipresent and yet not extremely harmful because of the moderation of its demands. A practical politician once remarked that "the people will never kick on a ten per cent rake off." It is quite possible that the effort to wipe out so modest a tribute by a reform agitation opposed to the principle of the thing might cost more in effort or even in campaign expenses than would be represented by the saving to the municipal treasury or public. Obviously, however, the advisability of an effort for the establishment of honest government is not to be calculated in financial values only. The moral effect of a corrupt exaction of ten per cent which no one thinks it worth while to attack may be worse than the moral effect of a fifty per cent exaction which is vigorously condemned. A purely Machiavelian machine leader may also discern a degree of danger lurking in a government ten per cent corrupt due to the very fact that the electorate accepts it with quiescence. Under such conditions it is difficult to convince the more greedy minor politicians that while they can get ten per cent without a murmur they could not take twenty or even fifteen per cent without serious trouble. The great expenses of political management which the leaders are called upon to meet must also incline them at times to exactions beyond the verge of prudence.

From the point of view of an organisation poli-

tician, therefore, the determination of the limits within which corruption seems safe is a serious and ever present problem. Certain features of the situation may be noted as exerting an influence in favour of a moderate policy. One of these is the contractual nature of many corrupt practices that are alleged to be common. For example, franchises sought by dishonest means usually possess a value which is pretty exactly known to the intending purchasers. The amount which they are actually willing to pay may be determined only after close bargaining and the allowance of a large discount owing to the danger inseparable from this method of acquisition. Immunity to carry on businesses under the ban of the law is subject to the same rule.

The "Gambling Commission" which was said to exist in New York in 1900-'01, and to have been "composed of a Commissioner who is at the head of one of the city departments, two State Senators, and the dictator of the pool-room syndicate of this city,"[1] owed its partial exposure to a violation of this rule. The "Commission" was alleged to have established a regular tariff for the various forms of gambling as follows:—Pool Rooms, $300 per month; Crap Games, and Gambling Houses (small), $150 per month; Gambling Houses (large), $1000 per month; Envelope Games, $50 per month. These rates

[1] *New York Times,* March 9, 1900.

would seem sufficiently high to provoke complaint from those who had to pay them. Nevertheless the exposure, which came from the gamblers themselves, was not so much due to the size of the exactions as to the great increase in the number of the gambling houses which the "Commission" licensed in order to secure larger revenues. In the end, as one member of the sporting fraternity phrased it, "there were not enough suckers to go 'round." The whole incident illustrates the principle, if the word can be used in such an unhallowed connection, that in order to enjoy any permanent success, corruption must by all means avoid extreme rapacity; it must endeavour to keep alive that which it feeds on. Castro, for example, was a highwayman rather than a grafter. He lacked the moderation, the fine sense of proportion, necessary to qualify one for success in the latter rôle. To paraphrase a familiar principle of taxation, a part of income may be taken but corrupt encroachments on capital sums are dangerous.

Prudential considerations restraining corruption are apt to be much more keenly felt by a thoroughly organised machine than in cases where corruption is practised by disorganised groups and individuals each seeking its or his own advantage regardless of any common interest. The "cohesive power of public plunder," as President Cleveland ponderously phrased it, may thus come to operate as a moderating force. Notoriously

corrupt city governments have not infrequently distinguished themselves by maintaining extremely low tax rates, or at least rates which appear to be low. Largely on this basis a quasi-philosophic defence of corrupt municipal rule was made several years ago by Daniel G. Thompson.[1] Arguing that some degree of corruption was inevitable in all political organisations, he held that they should be regarded by the voter in exactly the same light as bidders for a contract. Government should simply be handed over to the organisation making, all things considered, the lowest bid, which in New York city, Mr. Thompson thought, would usually be Tammany Hall. The argument is so thoroughly feudal in its conception of politics that one finds it difficult to believe in the author's entire sincerity, although this is flatly asseverated throughout the book. Moral objections similar to those employed against the doctrine of the inviolability of a "ten per cent rake-off" thoroughly dispose of any rational claim it may make to attention. Political experience is also against it. Reform movements particularly in municipalities may be laughed at as "spasms," but these movements, which are usually based largely on charges of corruption, occur so frequently as to discredit the belief that purely prudential considerations on the part of corruptionists will restrain effectively the excesses of their demands. Supine acceptance by

[1] "Politics in a Democracy," New York, 1893.

the electorate of the "lowest bidder" theory would speedily result in the submission of none but extortionately high bids. In the long run "millions for defence but not one cent for tribute" is a sentiment quite as justifiable economically as ethically.

To recapitulate the preceding argument,—the structure of society, no matter how completely evolved and generally beneficial to the highest human interests, is nevertheless such that when brought into contact with natural human egoism it offers access at many points to the onslaughts of corruption. The evil consequences may be extreme, or only severe, or in time they may be completely overcome. History furnishes examples of all three eventualities. It also bears witness to the fact that many gross and threatening forms of corruption that were once prevalent have been eliminated from the life of civilised nations. Those which remain to afflict us are the object of vigorous corrective measures which are constantly being extended and strengthened. Corrupt practices are found to be limited in some cases to certain branches or spheres of government with consequences of varying degrees of danger to the national life. Or they may be limited in amount or percentage by various prudential considerations on the part of political leaders who, however, are far from being sufficiently restrained in this way as social welfare requires. While corruption thus ap-

pears to be a persistent problem of social and political life it is far from being a hopeless one. In the words of Professor Henry C. Adams,[1] its solution "is a continuous task, like the cleansing of the streets of a great city, or the renewing of a right purpose within the human heart."

[1] "Public Debts," p. 358.

CORRUPTION IN THE PROFESSIONS, JOURNALISM, AND THE HIGHER EDUCATION

IV

CORRUPTION IN THE PROFESSIONS, JOURNALISM, AND THE HIGHER EDUCATION

THE wisdom of some quasi-philosophic counsellors of ambitious youth expresses itself in the aphorism that in this world there are as many doors labelled "pull" as there are labelled "push." Without admitting the equality in ratio of the two kinds of avenues to material well being, it is undeniable that a great many of our social relationships are very commonly exploited by interests of a more or less directly personal character. Church membership, for example, may be maintained chiefly as a stepping stone to business, professional, or social success. Business men are overrun with solicitations for aid to church and charitable purposes under circumstances which suggest the discrete advertisement of their delinquency in case they do not contribute "according to their means," and the probable loss of custom in consequence. The charitable organisations themselves are imposed upon by unworthy applicants for relief who display a pertinacity and ingenuity calculated to destroy all faith in any trait of human nature except universal parasitism. Of course one should not look a gift horse in the mouth, but in the case of many presentations from inferiors to

superiors or from favour-seekers to men of influence the motives of the givers, and also at times of the recipients, are certainly not beyond suspicion. The ethics of the petty tipping system are dubious at best. Labourers "soldier on their jobs"; clerks appropriate office supplies as "perquisites"; there are "tricks in all trades." To avoid conflicts in the kitchen good housewives frequently send bad servants away with excellent "characters." During hard time winters newspapers maintain free soup stations and publish the harrowing details of the poverty which they are relieving in such a sensational fashion that even the most guileless reader finds himself wondering whether any motive connected with self-advertisement or circulation reinforces the charitable sentiments of the journalist. On the other hand many a queer and clever scheme is devised to secure newspaper notoriety for some presumably deserving person or cause. The ways of authors with critics, and of critics with authors for that matter, are said at times to stand in need of criticism themselves. "Dead easy" professors and "snap" courses (of which, be it said with grief and contrition, every institution seems to have a few samples) are exploited by college students whose mental efforts in other directions are hopelessly inhibited by chronic brain fag. In short every person charged with administrative duties in connection with any social organisation, be it a business

house, a club, a church, a school, a charity, or what not, is familiar *ad nauseam* with the fact that tacit or overt efforts are constantly being made both by outsiders and insiders to procure suspensions of the rules or other unwarranted privileges and favours.

It would, however, be an unnecessarily harsh judgment to condemn all actions of the foregoing character as corrupt. If criticism is to be attempted it must be based on a full knowledge of motives in given cases, and these are not always apparent. Then, too, customs have grown up under the influence of which men act without analyzing the real nature of their conduct. Reflection would show, however, that, with the exception of conscious evil intent, the elements of corruption are present not only in the cases cited above, but in many others which are constantly being encountered in the course of the day's experiences. It is certainly an error to assume that all the grafters are engaged in " big " business or " big " politics. Let us not excuse in the slightest degree the misdeeds of great corporations, but, on the other hand, let us not forget that conduct of a precisely similar ethical colour is sometimes indulged in by labourers, clerks, small retailers, farmers, and others. The fact that corrupt or " near " corrupt practices are more common than people are ordinarily inclined to believe is significant in another way. There is always a direct relationship between the characteristic petty offences of a people and its

characteristic major crimes. Thus in a country given over to brawling, crimes of violence will be numerous. Chicane largely prevalent in every day affairs will certainly breed an atmosphere favourable to the perpetration of gigantic frauds. For this reason the minor forms of corruption which occur in the daily life of a people are worthy of much more attention than they ordinarily receive.

Let us turn now from the petty and dubious manifestations of a corrupt spirit to those larger and more directly threatening practices which have become subject to public criticism and in some cases to repressive legislation. The field thus ventured upon is so extensive and its features are so involved that no progress can be made in its discussion without classification. Yet any scheme of classification that may be attempted must encounter great difficulties. Individual judgments vary widely regarding the importance or degree of danger to the public interest of various anti-social developments. Along certain lines corrupt practices have been exploited by journalistic enterprise with great pertinacity, while other suspicious areas are still largely neglected. As a consequence of the very difficulties which embarrass it, however, there is a certain justification even for a confessedly imperfect classification. A service of considerable importance may be rendered merely by bringing together in the form of an outline all or nearly all the more threatening forms of corruption in such a

way that some of their salient characteristics and interrelations are more clearly developed. Without therefore claiming finality for the following arrangement it would seem desirable to distinguish roughly two great fields of corrupt practices: first, corruption in professional life generally; and second, corruption in business and politics. The divisions and subdivisions of these two groups will be indicated later. Corruption in professional life will be discussed with some detail in the present study.[1] Business and political corruption, the interrelations of which are very numerous and close, will form the subject of the following paper.

Corruption in professional life may be held to involve virtually all of our social leadership outside of business and politics. Apart from the specific services rendered by the various professions their principal practitioners are instinctively looked up to by the community for guidance. In a broad sense all professional men are teachers. Corrup-

[1] Corruption in the professions might also be dealt with as a subdivision of economic corruption. All professional services, it could be argued, must be remunerated, and the abuses which have grown up in connection with them are the outgrowth of a commercial spirit antagonistic to professional ideals. While this is doubtless true, the persistence of the older ideals and the efforts to rehabilitate and extend them are facts of sufficient importance, in the opinion of the writer, to justify the separate treatment of corruption in the professions. Even if this distinction did not exist convenience would make a division of the fields for the purpose of discussion highly desirable.

tion in the professions is thus equivalent to the defilement of the sources of public instruction. Yet precisely on this ground very sweeping and bitter accusations are made. Law, journalism, and the higher education are more frequently attacked, but medicine, philanthropy, and theology also come in for criticism. To cite specific instances:—editors are accused of wholesale misrepresentation and suppression of news in behalf of sinister interests; college professors, assumed to be subtly bribed by munificent endowments, are reproached as the crafty inventors of philosophic excuses for menacing public evils; lawyers are denounced as servile hirelings who "justify the wicked for reward" and who accept crooked corporation or political work without demur; ministers, philanthropic workers, and other leaders of thought are said to be purchased by large contributions, gifts of parks, playgrounds, hospitals, and so on.[1] There are many modern Micahs who go about saying of our people that "the heads thereof judge for reward, and the priests thereof teach for hire, and the prophets thereof divine for money."

Corruption of the sources of public instruction is manifestly replete with the potency of evil. If a nation's "men of light and leading" fail in their function the case is hopeless indeed. Moreover the regulation of the various sources of public in-

[1] *Cf.* G. W. Alger's "Generosity and Corruption," *Atlantic*, vol. xcv (1905), p. 781.

struction is a task the complexity of which far excels that of any problem presented by the other forms of corruption. No insuperable technical difficulty is involved, for example, in prescribing the standard of pure milk, the proper safety devices for theatres, the best method of fencing dangerous machinery in mills, the adequate safeguarding of the interests of policy holders in life insurance companies. But who will tell us with authority exactly what is news and what isn't; who will define explicitly the standard of orthodoxy for university instruction in economics and political science; who will provide ministers of the gospel with a social creed drawn up with the precision and free from the dogmatic differences of their theological creeds? It is not strange, therefore, that although there has been much vague talk of "tainted money," proposals for the legal definition and regulation of its alleged pernicious consequences have been wanting. We already have extended and complicated legal systems of inspection and regulation of many of the material goods of life, while but little has been done or even concretely outlined in the direction of state supervision of ideal goods and services.

Great as are the technical difficulties in the way of the latter policy, the real reason for its lack of advocates would seem to lie in the partial efficiency of the various ancient and highly socialised codes of professional ethics. Competition in the eco-

nomic world has not been similarly safeguarded from within. With the breakdown of the guild system and the sudden changes introduced by the industrial revolution business found itself upon an uncharted sea. *Laisser faire, laisser aller* seemed perfectly obvious in this spacious time of untouched world markets, but latterly distances have dwindled, density has increased, and collisions with social norms have become increasingly frequent. Too often and too easily competition has been pushed beyond the limits of social safety. In the economic struggle the " twentieth mean man " has been able to wield compulsory power over his nineteen decent competitors and to force them on pain of bankruptcy to adopt his own lower standards. The professional " mean men," on the other hand, knew from the start that they were derogating from the ethics of their fellow practitioners, and in many cases were brought quickly to book for it. Here rather than in any differences of personal integrity must be found the reason for the higher moral reputation enjoyed by professional as compared with business men. It is impossible to believe that of the brothers of the family the black sheep always went into business and the good boys into medicine or the ministry. Finally we may expect the general immunity of the professions from state regulation to continue just so long as they develop progressively their own police systems. In this connection it is significant that that one of them which

has been most frequently and severely accused of abetting corruption in economic and political fields, namely the law, is precisely the one which has shown the most concern recently in the reformation of its code of ethics.[1] Obviously such sanitary processes may be materially hastened by the pressure from without of a forceful and honest popular feeling in opposition to abuses which have grown up in professional practice.

The greatest immediate influence upon public opinion is exerted, of course, by journalism. The

[1] Even if it be sneered at in certain quarters as a mere counsel of perfection, the following statement of the principles underlying "the lawyer's duty in its last analysis" is of great significance:—"No client, corporate or individual, however powerful, nor any cause, civil or political, however important, is entitled to receive, nor should any lawyer render, any service or advice involving disloyalty to the law whose ministers we are, or disrespect of the judicial office, which we are bound to uphold, or corruption of any person or persons exercising a public office or private trust, or deception or betrayal of the public. When rendering any such improper service or advice, the lawyer invites and merits stern and just condemnation. Correspondingly, he advances the honour of his profession and the best interests of his client when he renders service or gives advice tending to impress upon the client and his undertaking exact compliance with the strictest principles of moral law." The "Canons of Professional Ethics," adopted by the American Bar Association at its thirty-first annual meeting at Seattle, August 27, 1908, are conceived in the spirit of the foregoing, taken from Canon 32. Canons 2, 3, 6, 26, 29, and 31 also declare specifically and unqualifiedly against various forms of corruption.

question of its corruption or corruptibility is, therefore, one of prime importance. Accusations against the press on this score are common enough, but few of them are so sweeping as the following attributed to the late John Swinton, formerly of the New York *Sun* and *Tribune*.[1] At a banquet of the New York Press Association in 1895, in response to a toast on "The Independent Press" he is reported to have said:

"There is no such thing in America as an independent press unless it is in the country towns. You know it, and I know it. There is not one of you who dare express an honest opinion. If you express it, you know beforehand that it would never appear in print. I am paid $150 per week for keeping my honest opinions out of the paper I am connected with. Others of you are paid similar salaries for doing similar things. If I should permit honest opinions to be printed in one issue of my paper, like Othello, before twenty-four hours my occupation would be gone. The man who would be so foolish as to write honest opinions would be out on the street hunting for another job. The business of the New York journalist is to distort the truth, to lie outright, to pervert, to vilify, to fawn at the feet of Mammon, and to sell his country and race for his daily bread; or for what is about the same thing, his salary. You know this, and I know it;

[1] Quoted in Lester F. Ward's "Pure Sociology," p. 487. Professor Ward himself says: "The newspaper is simply an organ of deception. Every prominent newspaper is the defender of some interest and everything it says is directly or indirectly (and most effective when indirect) in support of that interest. There is no such thing at the present time as a newspaper that defends a principle."

and what foolery to be toasting an 'independent press.' We are tools, and the vassals of rich men behind the scenes. We are jumping jacks. They pull the string and we dance. Our time, our talents, our lives, our possibilities, all are the property of other men. We are intellectual prostitutes."

It is hardly probable that any one not himself accustomed to drafting headlines could have so far exaggerated a situation, even under post-prandial influences, as did the author of the above paragraph. Whatever may be the measure of the sinning of any newspaper, certainly no single sheet has ever been the corrupt apologist for all anti-social interests. A paper which at any one time should attempt to stand for unsanitary tenement houses, for child labour, for quack medicines, for "embalmed" beef, for "tainted money" colleges, for monopoly tactics in beating down small competitors, for life insurance frauds, for the spoils system, the stealing of elections, and franchise grabbing,—or for any considerable number of these,—would certainly lose its influence with extreme suddenness. Newspapers are of all kinds, of course. They differ even more in character than do individuals. As the focal points of every interest in a community the interests of a newspaper are much more diverse than those of the individual, and, as in the case of the individual, these interests are shot through and through with the noble and the base. Few people

who are unfamiliar with the practical making of newspapers realise what a constant and bitter struggle is being waged in many cases to keep them free from selfish and dishonest influences. In other instances, of course, the partial triumph of the counting-room is palpable. Advertising colums still carry, although with much less frequency than formerly, the insertions of get-rich-quick schemes, of bucket-shops, of salary-loan sharks, of quack doctors, quack medicines, and clairvoyants. Of course these are frankly presented as paid matter, and every reader of intelligence understands that they are inspired by the directly selfish motives of the advertiser. When one thinks of the poor, the ignorant, and the sick, who are exploited through such agencies, however, the despicable character of the abuse is manifest. In some papers, also, the reader finds abundant evidence of the activities of press and publicity bureaus working in the interest of certain forms of business. Morally this abuse is much worse than the foregoing, for it throws off the form of advertising and clothes itself as news or editorial opinion.

Large advertisers, particularly since the development of daily full page announcements by department stores, also insist at times, and not always ineffectually, upon exerting influence over news and editorial columns. A pitch of absurdity seldom realised in this connection was exemplified by the silence or approval with which the press of one of

our largest cities, a single paper honourably excepted, treated the clearly mistaken philanthropy of a certain wealthy merchant who had established many distributing stations for sterilised, rather than Pasteurised milk. The paralysing effect of box office influence upon sincere and vigorous dramatic criticism is another deplorable instance of the same sort.

Finally there are papers which, however free they may keep themselves from outside interests, nevertheless represent the immediate political or economic ambitions of their owners. It is easy to exaggerate this abuse not only with regard to its present extent absolutely considered, but also with reference to its contemporary development as compared with the press of the past. In its earlier periods journalism was almost universally the tool of party. During the civil war,—the epoch of great editorial personalities,—political ambitions constantly invaded the *sanctum* with the result that the gross unfairness and bitter partisanship engendered by the times were doubly and trebly emphasised in the columns of the press. The new journalism which began its career about 1875 not only prints more news but prints it more fairly than the old school. Of course most of our papers are still the recognised organs of some party, but they are far from being servile and characterless advocates of every party policy. Moreover there is a considerable number of politically independent

papers, some of which are avowedly so, while others are really so although they may still wear lightly some party emblem. Fearless, continued criticism of public abuses is more and more coming to be recognised as good policy both for a paper and for the commonweal.

Unfortunately there is another side to this record of improvement and achievement. Perhaps the most important single difference between the old personal journalism and the journalism of to-day is the large capitalistic character of the latter. When the mechanical outfit of a city paper could be supplied with a comparatively small sum of money, the personality of the editor was all important, although, as we have seen, even this favouring economic condition did not by any means produce uncorrupted journalism. At the present time large capital is necessary not only to provide the equipment, but also to meet the heavy losses of the few inevitable lean years at the outset. In most cases the money is contributed by one man or by a comparatively small number of men whose other business interests are likely to be very harmonious if not already consolidated. In consequence there is a common, and withal very human, tendency on the part of the paper thus established and owned to deal favourably under all circumstances with the financial interest or group of interests back of it. This is the typical journalistic danger of the present period, just as

the political bee in the editor's bonnet was the typical evil of the old personal journalism. Legislation requiring newspapers to print the names of their principal owners, and to deposit full lists of stockholders in some state office of record where they could be made available to all comers, ought to limit considerably the possibility of capitalistic manipulation of the press. By revealing facts regarding financial control which at best can only be suspected at the present time, publicity of this character would enable readers to make the necessary allowances for any undue form of counting-room control which might manifest itself in the editorial or news columns of a given paper. In spite of this and other shortcomings, however, most observers agree that the American press as a whole is more independent to-day than ever before.

In considering abuses which affect our journalism one should not forget certain conditions which set a limit to the corrupt manipulation of the greatest single agency of public instruction. A modern newspaper is a large capitalistic enterprise, of course, but its business is peculiar in that it must sell its product to tens of thousands of people every day at the price of a cent or two per copy. However plutocratic a paper may be at one end it always represents the extreme of democracy at the other. Our press is occasionally prostituted by large moneyed interests, but it is in much more constant danger of that directly opposite form of

corruption, namely demagogy. Reform of the press depends ultimately upon the reform of its readers. Even on the latter side, however, we have to note an increasing and very gratifying readiness on the part of our papers to tell the American people the truth about themselves and about foreign peoples regardless of all our old time prejudices and antipathies.[1]

Reverting to the plutocratic influences affecting the press, however, we have seen that in the nature of things no single newspaper can become the tool of all the anti-social interests. It can defend effectively only the few which for one reason or another are approved by the managers of its policy. Usually a newspaper which is thus silent or mildly unctuous on certain abuses endeavours to rehabilitate itself by the condemnation, sometimes in a sensational and even hysterical fashion, of other abuses, thus conducting, so to speak, a vigorous department of moral foreign affairs. As a result the position taken by the press as a whole on most points is strongly favourable to the public interest. On this ground one may find a philosophic justification for the sentiment so compactly phrased by Mr. George William Curtis to the effect that "no abuse of a free press can be so great as the evil of its suppression."[2]

[1] *Cf.* "Is an Honest Newspaper Possible," by "A New York Editor," in the *Atlantic,* vol. cii (1908), p. 441.

[2] "Orations and Addresses," vol. i, p. 303.

Even in dealing with those subjects concerning which a given paper is not honest with its readers great care must be exercised. So far as possible it must conceal the evidences of selfish interest and present its case on grounds of public policy. Now arguments based on such grounds are always worthy at least of consideration. A very large part of political discussion, not only journalistic but of other kinds, is "inspired" in this fashion, and it not infrequently happens that what may be in accord with the self interest of individuals and groups is also in accord with public interest. If this is not the case a competing paper ought to be able to expose pretty effectively the false assertions of its wily contemporary. In dealing with national questions which are discussed by newspapers in every part of the country this function of mutual criticism is in general well performed. Cases occur, however, especially in connection with municipal issues, where practically every paper of wide local circulation is either silenced or actively engaged in the support of a crooked deal. Under such circumstances a fight in defence of public interest is almost hopeless. The more nearly the press of a given district approaches this condition of corrupt paralysis, however, the brighter are the opportunities for an opposition paper. In journalism as everywhere in the world of social phenomena the inviolable law prevails that a function cannot be abused without corresponding harm to the

agency which allows itself to be perverted. If it should ever happen,—although at the present time the prospect seems remote enough,—that a thoroughgoing control embracing the daily papers of the whole country should be established in defence of consolidated interests, it is certain that some new agency of publicity would spring up in the interest of the people as a whole. In the end the daily papers themselves would be the worst sufferers from a general perversion of their activities. As a matter of fact a new and powerful journalistic organ has already developed an influence not incomparable with that of the daily press. The wonderful growth of the low priced monthly and weekly magazines during the decade just past has been explained on various grounds:—the cheapening of paper and of illustrations, the second-class mailing privilege, the effectiveness of such media for advertisement, and so on. No doubt these factors go far toward explaining the great expansion of magazine circulation, but in spite of much journalistic prejudice to the contrary circulation and influence are not necessarily correlative. And the influence, as distinct from the circulation, of the magazines has been due very largely to the boldness and effectiveness with which they assailed many public abuses with regard to which for one reason or another the daily press was silent or even favourable. Of course the detached situation of the magazines made it easy and

even profitable for them to pursue policies which might have cost the newspapers dear. In any event a new way was found for the effective journalistic presentation of the public interest.

In discussing the alleged corruption of the learned professions as a whole reference was made to the powerful influence of professional codes of ethics. One must recognise the journalistic instinct and journalistic traditions as strong factors of similar character. Even where editorial and reportorial staffs have given way, for purely bread and butter reasons, to what they knew were the selfish suggestions of controlling financial interests these same interests must sometimes have wondered at the lukewarmness of their paper's support, and also, perhaps, at the enthusiasm which it manifested for some good cause indifferent to them. Moreover professional standards are rising in this field as well as elsewhere. No one has given clearer or more forcible expression to the highest of these newer ideals of journalism than Mr. George Harvey of the *North American Review,* whose words, by the way, present the extreme of contrast to those quoted earlier from Mr. Swinton. After pointing out that the great editorial leaders of the past generation,—Greeley, Raymond, Dana, Bennett,—were shackled by their own political ambitions, Mr. Harvey asks:

"What, then, shall we conclude? That an editor shall bar acceptance of public position under any circumstances?

Yes, absolutely, and any thought or hope of such preferment, else his avowed purpose is not his true one, his policy is one of deceit in pursuance of an unannounced end; his guidance is untrustworthy, his calling that of a teacher false to his disciples for personal advantage, his conduct a gross betrayal not only of public confidence, but also of the faith of every true journalist jealous of a profession which should be of the noblest and the farthest removed from base uses in the interests of selfish men." . . .

"He [the journalist] is, above all, a teacher who, through daily appeals to the reason and moral sense of his constituency, should become a real leader. . . . Above capital, above labour, above wealth, above poverty, above class, and above people, subservient to none, quick to perceive and relentless in resisting encroachments by any, the master journalist should stand as the guardian of all, the vigilant watchman on the tower ever ready to sound the alarm of danger, from whatever source, to the liberties and the laws of this great union of free individuals."[1]

Discussion of the "tainted money" charge so far as it affects our universities and colleges can not, of course, be presented with complete objectivity by the present writer. Nothing can be promised beyond an earnest effort to attain detachment and impartiality. On the other hand, a decade spent in the active teaching of the principal debatable subjects in three institutions of widely different character may furnish a basis of experience of some value.[2]

[1] "Journalism, Politics, and the University," *North American Review*, vol. clxxxvii (1908), p. 598.

[2] It is perhaps worth noting that the debatable subjects of

First of all there must be no blinking of the importance of the subject. "It is manifest," wrote the acute Hobbes, "that the Instruction of the people, dependeth wholly, on the right teaching of Youth in the Universities." Quaint as is the language in which he defends this proposition the argument which it contains is applicable with few changes to modern conditions.

"They whom necessity, or couvetousnesse keepeth attent on their trades, and labour; and they, on the other side, whom superfluity, or sloth carrieth after their sensuall pleasures, (which two sorts of men take up the greatest part of Man-kind,) being diverted from the deep medita-

to-day are not those of a generation or so ago. Geology and biology were then the dangerous chairs, the occupants of which frequently found themselves in conflict with straight-laced followers of various religious sects. Occasionally professors of philosophy and ethics became involved in similar controversies. At the present time conflicts of this character are much less frequent and are confined for the most part to theological seminaries and those smaller colleges which are still dominated by narrow denominational influences. Nearly all our leading universities have so far emancipated themselves from sectarian control that controversies with their professors on this basis are virtually impossible. In such institutions the chairs which present difficulties nowadays are those in economics, political science, and sociology, although, as we shall see, these difficulties are greatly exaggerated in popular estimation. It is hardly necessary to add that (with the exception in some small measure of sociology) the area of friction in these subjects is not at all in their contact with religious, but almost exclusively in their contact with business and political activities outside university walls.

tion, which the learning of truth, not onely in the matter of Natural Justice, but also of all other Sciences necessarily requireth, receive the Notions of their duty, chiefly from Divines in the Pulpit, and partly from such of their Neighbours, or familiar acquaintance, as having the Faculty of discoursing readily, and plausibly, seem wiser and better learned in cases of Law, and Conscience, than themselves. And the Divines, and such others as make shew of Learning, derive their knowledge from the Universities, and from the Schooles of Law, or from the Books, which by men eminent in those Schooles, and Universities have been published."[1]

In spite of the development of other intermediate agencies of public instruction since the seventeenth century, and particularly of the press and our elementary school system, the influence of universities and colleges was never greater than it is at present, and it is an influence which is constantly increasing in strength. The number of universities and colleges is larger, their work is more efficient, their curricula are broader, the number of college bred men in the community is greater, and their leadership therein more perceptible than ever before. Professors are enlisting in industrial, scientific, and social activities outside academic walls in a way undreamed of so long as the old monastic ideals held sway. By extension lectures and still more by books and articles they are reaching larger and larger masses of the people. Newspapers formulate current public opinion, but to

[1] "Leviathan," pt. ii, ch. xxx.

the writer, at least, it seems plainly apparent that the best thought of the universities and colleges today is the thought that in all likelihood will profoundly influence both press and public opinion in the near future. Academic observers of the sound money struggle of 1896, for example, must have smiled frequently to themselves at the arguments employed during the campaign. There was not one of them which had not been the commonplace of economic seminars for years. The newspapers and the abler political leaders on both sides simply filled their quivers with arrows drawn from academic arsenals. Extreme cleverness was shown by many journalists and campaign orators in popularising this material, in adapting it to local conditions, and in placing it broadcast before the people, but of original argumentation on their part there was scarcely a scintilla. It is significant also that the battle of the ballots was decided in favour of the contention which commanded the majority of scientific supporters. Subsequent political issues, great and small, have developed very similar phenomena, although of course it would be absurd to assert that in all cases the dominant opinion of the *literati* prevailed at the ballot. There are also certain academic ideals of the day with which practical politics and business are demonstrably and crassly at variance. Not until the fate of many future battles is decided can we estimate the full strength of the university influence on such

pending questions. Victory would seem assured in a sufficient number of cases, however, to make it clear that just as the wholesomeness of the public opinion of to-day is conditioned by the independence of the press, so the wholesomeness of the public opinion of to-morrow will be determined largely by the independence of our colleges and universities.

As compared with the press, universities possess certain great advantages which justify the public in demanding from them higher standards of accuracy and impartiality. The professor enjoys some measure of leisure; the editor is always under the lash of production on the stroke of the event. It is also a very considerable advantage that the editorial "we" and the anonymity of the newspaper are foreign to college practice. There is, of course, a pretty well recognised body of opinion on methods and ideals common to the faculties of our learned institutions, but in the separate fields of departmental work any opinion that may be expressed is primarily the opinion of the professor expressing it. His connection with a given institution is, indeed, a guaranty of greater or less weight as to his general scholarly ability, and he will, of course, be mindful of this in all that he says or writes. But beyond this his personal reputation is directly involved. Those who make a newspaper suffer collectively and more or less anonymously for any truckling to corrupt interests. The college

president or teacher guilty of an offence of the same sort must suffer in his own person the contempt of his colleagues, his students, and the public generally.

Newspapers, moreover, are usually managed by private corporations frankly seeking profit as one of their ends. Universities and colleges, on the other hand, are much more free from the directly economic motive. There are, however, certain large qualifications to the advantages which institutions of learning thus enjoy. Every university and college is constantly perceiving new means of increasing its usefulness and persistently seeking to secure them. The demands made in behalf of such purposes may seem excessive at times, but it is clear that an educational institution which does not appreciate the vital importance of the work it is doing, and consequently the importance of expanding that work, is simply not worth its salt. In a great many cases the readiest means of securing the necessary funds is by appeal to rich men for large gifts and endowments. As the number of munificent Mæcenases is always limited and the number of needy institutions always very considerable, a competitive struggle ensues, different in most of its incidents from the directly profit seeking struggles of the business world, but essentially competitive none the less. In the campaign of a university or college for expansion a large body of students makes a good showing; hence too often

low entrance requirements weakly enforced and low standards of promotion. At times even the springs of discipline are relaxed lest numbers should be reduced by a salutary expulsion or two. Courses are divided and subdivided beyond the real needs of an institution and salaries are reduced in order to secure a sufficient number of teachers to give the large number of courses advertised with great fulness in the catalogue. A large part of crooked collegiate athletics is due to an indurated belief in the advertising efficacy of gridiron victories as a means of attracting first, students, and then endowments. So far as charges of corruption against our higher educational institutions are at all justified they are justified chiefly by the practices just described. Fairness requires the statement, however, that a marked change of heart is now taking place. Public criticism has placed athletic graft in the pillory to such an extent that enlightened self-interest, if no better motive, should bring about its speedy abolition by responsible college managements. Many sincere efforts have been made by members of faculties singly and through organisations covering certain fields of study to raise and properly enforce entrance and promotion standards. Finally in the Carnegie Foundation for the Advancement of Teaching there has been developed an agency of unparalleled efficiency for detecting and exposing low standards. A college may continue to publish fake require-

ments, to crowd its class rooms with students who belong to high schools, to pad its courses, to underpay and overwork its instructing staff, but if it does these things it cannot, even if otherwise qualified, secure pensions for its professors, and in any event its derelictions will be advertised broadcast in the reports of the Foundation with a precision and a conviction beyond all hope of rebuttal. Let cynics smile at a process which they may describe as bribing the colleges to be good by pensioning their superannuates, but unquestionably the work of the Foundation has resulted in a new uprightness, a new firmness of standards, a higher efficiency that bodes well for the future of American education. Parents may give material encouragement to this movement by reading the publications of the Carnegie Foundation, as well as college catalogues and advertisements, before they determine upon an institution for the education of their children.

Although the conditions just described are the principal evil results of the competitive struggle for college and university expansion, the accusations of corruption against institutions of learning have usually dealt with their teaching of the doctrines of economics, sociology, and political science. Endowments must be secured; as a rule they can be had only from the very rich; among the very rich are numbered most of the "malefactors of great wealth";—*ergo* university and college teach-

ing on such subjects must be made pleasing or at least void of all offence to plutocratic interests.

There is a certain disproportion between the means and the ends considered by the foregoing argument which is worth notice. To found or endow a college or university requires a great deal of money. Any institution worthy of either name is made up of numerous departments,—languages, literature, the natural sciences, history, and the social sciences,—of which only the last named are concerned with the moot questions of the day. If one cherished the Machiavellian notion of corrupting academic opinion to his economic interest he would be obliged, therefore, to support an excessively large number of departments the work of which would be absolutely indifferent to him. Endowment of the social sciences alone would be rather too patent. That they are not over-endowed at the present time in comparison with their importance relative to other departments is a condition the large mournfulness of which seems beyond all possibility of doubt to the writer. Nor should it be forgotten that the teachers of the social sciences form but a small minority of the whole body of university and collegiate instructors in all subjects. Nevertheless they are subject to the rigid general standards of accuracy, fairness, and impartiality prescribed by the profession as a whole, and enforced severely whether the offender be a

biologist, a philologist, or an economist. Criticism is far more relentless and constant in this sphere than laymen are wont to suspect, except on the rare occasions when some more than ordinarily virulent controversy is taken up by the daily papers. Under such conditions any academic tendency either toward servility or toward demagogy is not likely to go long unchallenged.

Considering the high cost and small profits of university manipulation in this light it is very doubtful whether so indirect a method of social defence would appeal to our financial pirates. Whatever their defects or vices, men of this type have at least received the rigorous training of the business career. They are not philosophers of far-sighted vision, nor are they easily perturbed by fears of distant dangers. Troubles near at hand they see very clearly; indeed, one of the chief grounds of clamour against such men is the crass directness of the bribery to which on occasion they resort. Interests under fire appeal rather to political hirelings, to venal lawyers, to the courts, to legislatures, or to the press for effective protection and defence. College doctrines are too remote, too uncertain of manipulation to be of assistance. Although they did not learn it from the poet, business men are certainly not unmindful that:

> "was ein Professor spricht
> Nicht gleich zu allen dringet."

Given both the motive and the means, however, the task of corrupting the college teaching of economic, political, and social doctrines would seem almost hopelessly difficult. A given institution, may, indeed, be endowed almost exclusively by a certain man of great wealth. With very few exceptions knowledge of such munificence is made public property. If then the president or professors of such a university should endeavour to justify or palliate the business conduct of the founder their motives will be suspected from the start and their arguments, however artfully they might plead the case, discounted accordingly. If discretion were thrown to the winds (there is perhaps one case of this sort) the net effect of the work of such apologists, instead of aiding their financial friends, might profoundly injure and embarrass them. Those who are familiar with the character of the American student know that he would be the first to detect any insincerity in the discussion of public questions by an instructor or college official. If the prosperity of the college were due almost entirely to a single bounteous donor its venal professors would, of course, have no direct motive to defend the economic misconduct of any other than their particular friend among the captains of industry. Possibly they might develop a policy similar to that of newspapers in the same predicament,—silence or soft speaking regarding the sins of their great and rich friend combined with louder

trumpetings against the social misconduct of other and indifferent financial interests. In the case of all our important institutions of learning, however, funds of very considerable size in the aggregate have been received from many sources in the past, and new gifts, even when they are of large amount, represent merely fractional additions thereto. Those who know our colleges and universities will find it hard to believe that the old academic ideals and traditions of well supported institutions, their scientific honesty and earnest devotion to broad public service, are to be cheaply bought by gifts of half a million or more from the *nouveau riche*. There is such a thing as loyalty to the small gifts often made with the highest motives and the greatest sacrifices by generations long since dead. Few institutions desire to disregard this sentiment, and no institution can disregard it with impunity.

Finally there are the great state institutions of the country, maintained almost wholly by taxation and hence free from any corrupting influence that large endowments might exercise. There can be no doubt that the possession of these two fundamentally different kinds of economic support is a great safeguard to the independence of university instruction in the United States. No country is more blatant in asserting its *Lehrfreiheit* than Germany, but there the exclusive reliance of universities upon state support, coupled with the tremendous strength of government, makes neces-

sary very considerable modification of the Teutonic boast of absolute academic freedom. To be sure state institutions in the United States have been charged at times with similar subservience to legislatures and political leaders. Whatever perversion of this sort may have occurred it was at least not turned to the advantage of corporate misdoing. Indeed it probably had a directly opposite and strongly demagogic trend. Fortunately our state universities are becoming so powerful, so well fortified by high and honest traditions, so beloved by great and rapidly growing bodies of influential alumni that the days of their dependence upon political favour are well nigh over. It is now beyond all doubt that they are destined to a career of immense usefulness to our democracy, and it seems highly probable that they will overtake, if they do not ultimately excel, the great endowed institutions of the country. If the latter should ever show themselves subject to the influence of predatory wealth the development of well supported public universities should supply the necessary corrective. At the present time, however, a strong presumption of the general devotion of both classes of institutions to the public welfare is afforded by the fact that no recognisable distinction exists between the general doctrines of economics, political, and social science as taught in endowed schools on the one hand and in state schools on the other.

It was unfortunately essential to the foregoing argument that the worst motives should be assumed on the part of college benefactors. Justice requires ample correction of this point. A conspiracy to influence the social doctrines of our colleges, as we have seen, is neither so inexpensive, so direct, nor so likely to succeed as to commend itself to business men looking for immediate results. No doubt there have been men of wealth who by large and well advertised benefactions to colleges and universities have sought not to influence college teaching but to rehabilitate themselves and their business methods in popular esteem. Conspicuous giving with this penitential purpose in view is not likely to prove very effective, however. The sharp insight as to motives and the half humourous cynicism peculiar to American character are sufficient safeguards against the purchase of undeserved sympathy by rich offenders. In spite of the enormous sums given in the United States not only to the higher educational institutions but also for many other educational and philanthropic purposes, it seems extremely doubtful that public opinion has been affected thereby favourably to plutocratic interests. Few of the great mass are directly touched and consciously benefited by such gifts, but all are able to see (and if not they are helped by radicals to see), the superfluity out of which the donations were made. Benefactors, prospective and actual, must face the certainty of

much criticism and misinterpretation. So far as this criticism is unjust it is to be regretted; so far as it is just it contributes materially to social welfare. Investments in business are judged as to their wisdom by the ready tests of profits and permanence; investments in social work are not subject to tests so accurate and so easily applied. To some extent their place is taken by the advice and criticism of workers in the field. Still there is large possibility that gifts for social work may be applied in useless or even in harmful ways. A wise conception of the function of the philanthropist must therefore include a realisation of the value of criticism by specialists, and also a determination either to ignore misinterpretation and unjust criticism, or to await its reversal by a better informed, if somewhat belated public opinion.

Besides the possible but not always probable motives for making large gifts referred to above every other conceivable influence has affected educational benefactions. George Ade's breezy Chicago magnate who slaps the college president on the back and says: "Have a laboratory on me, old fellow," is slangy, to be sure, but not altogether fabulous. It is a very common misconception that financial assistance is the only thing needful in higher educational work. President Schurman of Cornell University expressed the views of many of his colleagues among the great university executives of the country when he lamented that "rich

men who give their money to educational institutions cannot be induced to give also their time and energy to the management of them."[1] So neglectful an attitude on their part, by the way, is hardly consistent with the theory that they are engaged in a conspiracy to pollute the wells of knowledge. When we consider the immense number of contributors, large and small, to the cause of higher education it is impossible to escape the conviction that behind many of their generous acts lay real sacrifice, an adequate conception of the great function of university teaching, and the purest and most humanitarian motives. Often, too, there has been full realisation that "the gift without the giver is bare," and patient, unstinted, intelligent service has accompanied money benefactions. In the same fine spirit nearly all our colleges and universities have accepted and employed the resources so generously placed at their disposal.

While due weight should be given to the honourable influences ordinarily accompanying benefactions, candour also compels the frank discussion of those cases where constraint of professorial opinion has been attempted. There have been a few flagrant instances of the dismissal of teachers on account of utterances displeasing to men who have been drawn upon heavily for financial support. One can readily understand the feeling of the latter

[1] *Cf.* his annual report for 1904-05, pp. 19-20, for a brief but very interesting reference to the "tainted money" charge.

that, considering their large gifts, they have been most ungratefully and unjustly abused, and also the action which they accordingly instigate, although it is as silly in most cases as the Queen of Hearts' peremptory command:—"Off with his head!" Men in other walks of life frequently behave in the same way. There is, for example, the very commonplace case of the church member who, disgruntled because of pulpit references—no matter how impersonal—to his pet sin, cuts down his contribution and seeks to drive the minister from his charge. The consequences of the dismisal of a professor because of conflict between his teachings and the outside interests of college benefactors are so widespread and dangerous, however, that they cannot be passed over lightly simply because occurrences of this sort are relatively infrequent in the academic world.

In the first instance, of course, the teacher himself may seem the chief sufferer from such controversies. Few of the clear cases of this sort, uncomplicated by any personal defect on the part of the man who is dismissed, have resulted, however, in the destruction of a promising career. On the contrary, positions have been opened up in other more liberal and often more important institutions to the teachers who have been persecuted for truth's sake. Indeed there is some danger that the halo of false martyrdom, with its possible accompanying rewards, may mislead the younger

and less judicious holders of professorships to indulge in forms of blatherskiting quite inconsistent with their office. In the great majority of cases, however, the effect of such individual assaults upon the tenure of academic position is to threaten the independence of every department in the same or related subjects the country over. Here we have the most serious evil resulting from such unfortunate occurrences. It is certainly great enough to justify the intervention of the national scientific association to which the professor belongs at least to the extent of the most searching and impartial investigation of all the circumstances involved in his dismissal, and their subsequent publication as widely as possible whether or not they justify the professor concerned. A powerful and most welcome auxiliary to the restraining influence which such investigations are bound to exercise is likely to be supplied by the Carnegie Foundation if one may judge from tendencies exhibited by its most recent report.[1] Thus in the last analysis the evil consequences of attempts to interfere with liberty of teaching are likely to fall most severely upon the institution which is so weak as to permit such manipulation. It risks exposure and loss of prestige, it loses men of worth and suffers in its capacity to attract others to take their places. All things considered there is every indication that the few

[1] "The Carnegie Foundation for the Advancement of Teaching, Third Annual Report," 1908, pp. 82-91.

institutions which have offended in this way have learned well their lesson, and are quite in the penitent frame of mind of the pious Helen:—

> ". . . dies will ich nun
> Auch ganz gewiss nicht wieder thun."

Amid the manifold influences that environ university teaching it is impossible for any one writer to set down all the guiding professional ideals. That they are easily corruptible and frequently corrupted is, as we have seen, absurd. Of both the press and higher education it may be said that they are in the grip of forces greater than themselves, of forces mighty to restrain any tendency to be unfaithful to their own better ideals. The rapidly growing attendance and influence of universities and colleges would appear to constitute a vote of confidence on the part of the public which may be interpreted as a general denial of the charges made against them. In the great majority of institutions the writer believes that the teaching of the social sciences is dominated by the ideals of scientific honesty, thoroughness, and impartiality. No instructor is worthy of university or college position who deliberately seeks to make converts to any party or cause, however free his motives may be from the taint of personal advantage. Rather is it his duty to present systematically all moot questions in all their aspects.

Like the judge summing up a case he should attempt further to supply a basis for the critical weighing of testimony by the class,—his jury. He is by no means to be inhibited from expressing an opinion, indeed he should be strongly encouraged to express it, stating it however as opinion together with the reasons that have led him to form it. But active proselyting should be rigorously barred. It is certainly no part of the duties of a professor of political science, for example, to attempt to make voters for either the Democratic or Republican ticket in a given campaign. If he attempts to do so he will certainly and deservedly fail, and in addition cripple his own influence and that of the institution which he represents. The higher duty is his of presenting all the evidence and the opinions on the points at issue and of exhibiting in his procedure the methods which will enable his students to investigate and decide for themselves not merely the political questions of the day but also the political questions they will have to meet unaided throughout their later active lives. Not voters for one campaign or recruits for one cause, but intelligent citizenship for all time and every issue,—such as is the ideal which the teacher should pursue.

Naturally this attitude does not please everybody. All sorts of interests, not only corrupting but reforming in character, are constantly endeavouring to secure academic approval in order to

exploit it in their own propaganda. When this is denied, recourse to the charge of corruption by an adverse interest lies very close to a hand already habituated to mudslinging. Although the prevailing opinions of college teachers on labour legislation, to cite a specific example, are certainly not those of the manufacturer's office, just as certainly they are broader and more progressive than the opinions of the man in the street. Of course radical labour leaders will take up still more advanced positions. In the partisanship natural to men in their situation they may even regard academic suggestions for the solution of the question as mere palliatives. It is difficult for them to appreciate the motives or the value to the cause of labour of the tempered advocacy of disinterested persons who are able to appeal to the great neutral public which in the end must pass on all labour reforms and all labour legislation. And the socialists are accustomed to go much farther than labour leaders, insinuating that capitalistic influence lurks behind every university chair in economics. Mr. W. J. Ghent puts their view of the situation as follows:

"Teachers, economists, in their search for truth, too often find it only within the narrow limits which are prescribed by endowments."

"The economic, and, consequently, the moral, pressure exerted upon this class [*i.e.*, "social servants," including college teachers] by the dominant class is constant and

severe; and the tendency of all moral weaklings within it is to conform to what is expected from above."

"Educators and writers have a normal function of social service. Many of these, however, are retainers of a degraded type, whose greatest activity lies in serving as reflexes of trading-class sentiment and disseminators of trading-class views of life."

"Rightly, it may be said that it is to his [the minister, writer, or teacher's] economic interest to preach and teach the special ethics of the traders; that the good jobs go to those who are most eloquent, insistent, and thoroughgoing in expounding such ethics, while the poor jobs or no jobs at all go to those who are most backward or slow-witted in such exposition."

"It may even be said that the net result of many of their [*i.e.*, trading-class] benefactions is nothing less than the prostitution of the recipients—in particular of writers, preachers, and educators."[1]

By way of contrast with this thoroughgoing arraignment, the opinion of Mr. Paul Elmer More may be quoted:

"Of all the substitutes for the classical discipline there is none more popular and, when applied to immature minds, more pernicious than economics. To a very considerable degree the present peril of socialism and other eccentricities of political creed is due to the fact that so many young men are crammed with economical theory (whether orthodox or not) when their minds have not been weighted with the study of human nature in its larger aspects. From this lack of balance they fall an easy prey to the fallacy that history is wholly determined

[1] "Mass and Class," pp. 14, 82, 83, 105, 243.

by economical conditions, or to the sophism of Rousseau that the evil in society is essentially the result of property. The very thoroughness of this training in economics is thus a danger."[1]

The positions both of Mr. Ghent and of Mr. More are extreme. As for the special ethics of the trading class, of which the former makes so much, it is doubtful if anything exists more foreign to current academic ideals. So marked is this aversion that it is distinctly difficult for the ordinary professor to estimate correctly the real value to the community of the service of the business man. That equal difficulty exists on the other side is apparent from the openly expressed conviction of many business men that the college teacher is a thoroughly unpractical sort of person. The latter attitude, by the way, is a most remarkable one for a client to assume toward his social apologist,—taking Mr. Ghent's view of the situation. A prisoner at the bar who should rail at the abilities of his counsel is certainly not putting himself in the way of acquittal. As for "moral weaklings," no profession can honestly deny the existence of some examples of this pestiferous species in its ranks. If academic promotion depended upon moral weakness, however, the bankruptcy of the profession would have been announced long ago. As a matter of fact, the system of selection and advancement employed by colleges is admirably adapted to their requirements.

[1] *Bookman*, p. 652, August, 1906.

In spite of the machinations of occasional cliques, chiefly of a personal or churchly character, it usually succeeds in placing the best prepared and most capable men in desirable and influential positions. Certainly college administration as a whole deserves the reputation of success which it enjoys, a reputation, by the way, much superior to that of most of our governmental machinery. If, for example, an equally effective system could be employed in the selection of the administrative heads of American city governments it is safe to say that many of our municipal problems would find a speedy solution.

As between Mr. Ghent and Mr. More, the latter is much nearer the truth in his main contention. It is hardly the case, however, as Mr. More would seem to imply, that thorough training in economics is more likely to produce half-baked agitators than is a mere smattering of the subject. Here as elsewhere " a little knowledge is a dangerous thing," and the students who afterwards run amuck in radicalism are drawn to a very slight extent from the ranks of those who acquire a really thorough knowledge of economics or the other social sciences. Without recourse to the old classical discipline, as proposed by Mr. More, the study of history and of the theory of evolution should furnish an excellent corrective to the excessively *a priori* processes employed in some fields of economics. Apart from these exceptions Mr.

More is clearly right in maintaining that the net result of college instruction in this subject is radical rather than reactionary. However, the impress finally given to the overwhelming majority of college students is not that of radicalism but rather that of willingness to work patiently, constructively, and progressively for social betterment. In either event the sweeping assertion that college teachers are the hirelings of capitalistic conspirators finds little ground for support.

One who attempts a survey of the whole field of corruption is apt to be impressed at first with its hopeless complexity and heterogeneity. There are many petty forms of evil, the shady moral character of which is as yet hardly perceived. The spirit thus revealed is, however, identical with that which expresses itself in the major forms of corruption which are so obvious and threatening that they have become subject to public criticism. It cannot be denied that some abuses of a grave character make their appearance in the learned professions, journalism, and higher education. In all such cases, however, vigorous reform work is in progress. A very gratifying feature of the situation is that the most effective and sincere efforts for improvement are being made from the inside. Our "men of light and leading" are sound at heart. It is not necessary to prove to them, as unfortunately it sometimes is to those in other walks

of life, that corruption does not pay. Rehabilitated by some of its more recent forms journalism exercises an alert and resourceful influence upon the opinion of the day. More hopeful still is the fact that our institutions of higher learning are moulding both the men and the measures of tomorrow into nobler forms.

CORRUPTION IN BUSINESS AND POLITICS

V

CORRUPTION IN BUSINESS AND POLITICS

No form of corruption can exist without reacting upon the life of the state. Pollution of the sources of public instruction defiles individuals and all the manifold non-sovereign social organisations, but it culminates in an infection of public opinion which directly contaminates the body politic. Even more immediately corrupt business practices lead to corrupt political practices. This is so conspicuously the case that separate discussion of the two subjects is virtually impossible. It is feasible, however, and should prove profitable, to distinguish the various subdivisions of economic and political corruption and to point out certain lines of the development which have bound the two so closely together in our modern life.

Pre-eminent among the forms of business corruption are the vicious practices which have grown up in the general relation of buyer and seller. Purveyors of adulterated, infected, or diseased consumption goods, such as food stuffs, and particularly meat and milk; dealers in sweatshop clothing; vendors of patent medicines; owners and builders of unsanitary tenement houses, of unsafe theatres, and excursion steamers; managers of railroad and trolley companies who neglect to in-

stall devices to protect their passengers may serve as illustrations. A further branch of this form of corruption, the importance of which would perhaps justify separate classification, occurs in connection with the dealers in vice,—the dive keepers, policy kings, gamblers, and procurers. The relation of master and servant furnishes a second subdivision of the primarily economic forms of corruption. Transportation companies, mine owners, manufacturers, and others who neglect the installation of safety devices to protect labourers; the employers of child labour; the labour leaders who extort blackmail by threatening strikes are cases in point. Still another subdivision of economic corruption centres about the fiduciary business relations such as occur particularly in connection with savings banks, trust companies, corporate directorships in general, and with the work of the promoter. Underlying nearly all these kinds of economic corruption, and emerging in the corruption of public instruction and political corruption as well, is competition,—itself a force or method rather than a form. Some species of corruption belonging logically under one or another of the preceding heads exhibit the effects of competition more plainly than others. Thus many practices common to those periods of forced competition which so frequently precede the formation of trusts have come to be looked upon as essentially corrupt and deserving of legal restraint. Cor-

ruption does not disappear when competition is practically eliminated, however. Some of the most difficult problems involved in dealing with it notoriously result from the existence of monopolies which have outstripped if they have not exterminated their rivals.

To attempt the adequate discussion of all the forms of economic corruption would require extended treatises on the labour problem, the trust problem, banking, transportation, insurance, and many other special subjects. The limitations of the present study exclude anything beyond a few general observations. It may first be noted that many of the abuses which are now undergoing the process of sanitation were the result not so much of corrupt intention as of ignorance and the relatively unlimited character of the competitive struggle to which reference has already been made. They emerged long before the era of consolidation, and are therefore not to be attributed solely to big business. For many years prior to the Chicago slaughter house exposures of 1906, for example, unclean meat was sold both by large packers and by country butchers. Small producers were and are largely responsible for impure milk and sweatshop clothing. Petty landlords as well as extensive holders of real estate have built unsanitary tenement houses and overcrowded them with renters. The neglect of transportation companies to install safety devices for the protection

of passengers and employees has in the very nature of the case been a corporation offence. On the other hand small as well as large mining operators have sinned in this way, and small as well as large manufacturers have exploited child labour. Betrayal of fiduciary relationships has naturally occurred most frequently and most disastrously in enterprises of large capital, although by no means confined exclusively to them. Indeed there would seem to be reason for believing that in certain ways consolidation has aided in bringing about the correction of some of these evils. It centres them in a few large establishments, often in a single district of no great size, where by their very magnitude abuses force themselves upon a sluggish public attention. Consolidation also makes it appear that the interests of a few selfish owners are being pursued at the cost of the general welfare. This at once enlists popular support for attacks upon abuses, and is a factor well worth comparison with the defensive strength of massed capital. For these reasons the cleaning up of the meat industry probably proceeded far more rapidly after the Chicago exposures than would have been the case if the effort had been made some years earlier during the period of many scattered local abattoirs.

So many factors co-operated in bringing about the business evils under consideration that the quality of corruption cannot always be ascribed to

them directly. Under a policy of *laisser faire,* of unlimited competition, of public indifference and apathy, it is not easy to fix moral responsibility. Even the twentieth mean man at any given time may be only a little meaner than several of his nineteen competitors. His offences are dictated by self-interest, of course, but they are offences against a vague set of business customs or moral principles. Public interest suffers, it is true, but the public is apathetic; it has not laid down definite norms of business conduct. On the part of the offender there is often lacking that conscious and purposeful subordination of public to private interest which constitutes full fledged corruption. Whatever degree of extenuation is afforded by these considerations vanishes, however, when definite regulation is undertaken by the state. Now that we are fairly launched upon an era of legislative and administrative control, business offences of the kind under consideration are frankly corrupt. Public apathy has vanished, the interest of the public has been sharply defined, and he who in contravention of these norms places his private gain above the general welfare does so with full intent, and cannot evade or shift the accusation of corruption.

A further consequence of the effort to regulate business practice by law is not only intrinsically important but also serves as the great connecting link between primarily economic and political cor-

ruption proper. As soon as regulation is undertaken by the state a motive is supplied to the still unterrified twentieth mean man to break the law or to bribe its executors. In either case, by the way, the profits are directly conditioned by the thoroughness with which his competitors are restrained from following his own malpractices. The scales employed by tariff officials may be tampered with in the interests of large importers whose profits are thereby enormously increased. Or inspectors may be bribed to pass infected carcasses, to approve impure milk, to permit get-rich-quick concerns to use the mails, to wink at lead weighted life preservers, to ignore the fact that the exits of a theatre are entirely inadequate. With cases where state regulation supplied the motive for the direct commission of fraud we are not directly concerned here, but in all the cases where the collusion of inspectors is involved we have to note that government regulation of business has made easy the transmutation of what before was merely corrupt and morally offensive into direct bribery. And from the point of view of a venal official or political machine the extension of state control means the widening of the opportunities for levying tribute. Thus a form of corruption which began among, and for a time was limited to, business relations becomes under regulation a menace to political integrity. In other words, it takes on the form of political corruption as well, and must,

therefore, become the subject of discussion in that connection.

However disheartening in other ways, a consideration of the forms of business corruption yields the comforting reflection that all the major forms of evil in this field are clearly recognised and severely criticised. One must guard oneself against too cheerful optimism in the premises, however. Reform forces armed *cap-a-pie* do not spring like unheralded knight errants of old into every breach at which social integrity is being assailed. Instead they can be developed only by persistent individual and associated effort and sacrifice. Moreover the problem of corruption, as we have seen, is a persistent one, the forms of which are ever changing and ever requiring new ingenuity and resourcefulness in the methods of social sanitation. Back of reform effort, also, there remains much that the individual can affect simply by clearer habits of moral reflection and action even in the small affairs of life. Public sentiment is built of such individual fragments. Low opinion, low action in everyday affairs become a part of the psychological atmosphere befogged by which the outlines even of the larger evils of the present régime grow indistinct. Professor Ross has performed a valuable service by exposing the fallacy that "sinners should be chastised only by their betters."[1] Social life, indeed, would be inconceiv-

[1] "Sin and Society," p. 78.

able if the judgment of disinterested parties were not superior to that of parties in interest. This is true even if the former are themselves far from moral perfection. But it is further true that the judgment of the disinterested will be more worthy and helpful if in the conduct of their own affairs the disinterested have habituated themselves to scrupulous honesty of thought and action. Till this is more generally the case social ostracism, public contempt, and loathing of the corruptionist, regardless of his looted wealth, will not prove such effective measures of restraint as one might hope. "The simplest reform," said Mr. James B. Dill, "the hardest, but it must be the first, is to make up our minds not to do those things which the other man may be doing, but which we know to be wrong." [1] Of course the universal acceptance of such higher individual standards would solve not only the problems of corruption but all our other social and moral difficulties. We may not hope for the early arrival of the millennium in this way, but neither may we hope for any large movement toward better conditions without improvement of personal character. Under our present circumstances much may be accomplished by institutional reform, by legislation and the application of the power of the state, although none of these is possible without the application of the

[1] "Back to Beginnings," Commencement Address, Oberlin College, June 28, 1905.

good will, the clearer intelligence and honesty of individuals. If not the first or only reform, then, still it is clear that no movement against corruption is complete which does not demand frank recognition by the individual that he must deliberately choose to get along less rapidly at times when the cost of advancement is personal dishonour.

Corrupt practices may begin in, and at first be limited to, the business world, but, as we have just seen, they are likely to overstep economic boundaries and become a menace to the integrity of the state. As such they must also be recognised and discussed as derivative forms of political corruption. But in addition to evils of this kind which originate, as it were, in other fields, various subdivisions of the forms of corruption which immediately involve government may be marked out tentatively for subsequent illustration and discussion.

To gain means for its support the state is obliged to impose taxes and other burdens upon its citizens. The self-interest of the latter leads them into many evasive practices of a more or less corrupt character. The state is also a great buyer of materials and services of all sorts, and hence subject to fraud in innumerable forms. It is further a great seller and provider of various services, and is equally exposed to danger in this capacity. Efforts by the state to regulate or sup-

press vice and crime necessarily lead to attempts on the part of the vicious and criminal to protect themselves by corrupt means. Without outside collusion public officials may endeavour to exploit in their private interest the powers which were conferred upon them solely for the public benefit, and the result is auto-corruption, as defined in an earlier study.[1] Preyed upon by corruption the state also at times instigates corruption in the pursuit of its own ends, particularly where international rivalries are concerned.[2] Finally the control of government by political parties may lead to

[1] "The Nature of Political Corruption," p. 46, *supra.*

[2] Limitation of the scope of this study to the internal forms of corruption makes it impossible to discuss this very interesting topic. It may be noted, however, that in international cases certain peculiarities occur regarding the personal element of corruption. When the military secrets of one government are purchased by another, the faithless official of the former who makes the sale is, of course, corrupt in the highest degree. What shall be said of the nation making the purchase? Personal interest on its side is merged in the collective interest of a commonwealth numbering millions of inhabitants it may be. The case is not entirely unlike those in which group interest rather than self interest impels to corrupt action (see p. 65), except that in the latter the groups are subordinate and not sovereign. If, however, the state which buys the secrets of another government runs counter to international law or morality in so doing, it may be held to be pursuing a relatively narrow interest regardless of the broader interest of humanity as a whole. From this point of view the state which uses money for such ends is guilty of corruption although, of course, it is a highly socialised form of corruption.

the purchase or stealing of elections and the perversion of the functions of all the organs of government in the interests of the machine. The fundamental importance of the practices which fall under the last head is apparent. Upon them ultimately depends the ability to maintain and profit by all the other forms of political corruption.

Regulation of business by the state is an established fact, the causes and origin of which need no further discussion in this place. Once established it is subject to attack and evasion along various lines. Downright fraud is possible, as in the concealment or false weighing of dutiable articles, the publication of false statements regarding the financial condition of fiduciary institutions, the covering up of defects in tenement house building, and so on. Practices of this character are extremely dangerous, however, as they are subject to detection and consequent punishment by the first more than ordinarily inquisitive inspector. Criminal chances are materially improved by the bribery of officials who are thus bound to concealment both by money interest and their own fear of exposure. Vigilant and honest administration of the laws and the infliction of sufficient penalties, particularly if they involve the imprisonment of principals, may be trusted to reduce such practices to a minimum. There are, however, other and more open methods of attack upon the regulation of business

by the state. Appeal may be made to the courts in the hope that laws of this character may be declared unconstitutional. Business interests may also seek their repeal or amendment at the hands of the legislature. No one who accepts the fundamental principles of our government can quarrel with either of these two modes of procedure. While doubtless intended to secure the public interest, attempts to regulate industry by the state may in given cases really defeat this end. And the latter likelihood would be increased almost to the point of certainty if legitimate protests from the businesses affected were stifled. On the other hand attempts may be made by business interests to influence courts or legislatures corruptly. Assuming that the honesty of all the departments of government would be proof against such attempts there is still another possibility. A business affected by some form of state regulation may endeavour to call to its aid the influence of party. This final method of procedure may also be conducted in a perfectly legitimate fashion. Public sentiment may be honestly converted to the view that the amendment or repeal of the law, as demanded by the business interest, is also in the interest of the state as a whole. On the other hand the effort may be made, either by large contributions to campaign funds, or by other still more objectionable means, to enlist the support of party regardless of the public welfare. Carrying out these

various methods of procedure to their logical conclusion brings us, therefore, face to face with the question which underlies the whole fabric of political corruption, namely how shall our party organisations be supported and financed?

Reserving this issue for subsequent discussion, certain general features of the reaction of industry against state regulation must be noted as of immense importance. Black as it is corruption after all is a mere incident in this struggle. The broad lines of development which the Republic will follow in the near future would seem to depend largely upon the outcome of this great process. Certain social prophets tell us insistently that there are but two possibilities: if the state wins the upper hand the inevitable result will be socialism; if on the other hand business triumphs we must resign ourselves to a more or less benevolent financial oligarchy. Imagination is not lacking to embellish or render repulsive this pair of alternatives. From Plato to Herbert George Wells all social prophets have been thus gifted with the power of depicting finely if not correctly the minutiæ of the world as it is to be. Time, the remorseless confuter of all earlier forecasters of this sort, has shown them to be singularly lacking in the ability to anticipate the great divergent highways of development,—sympodes in Ward's phrase,—which have opened up before the march of human progress and determined the subsequent lines of

movement. So it may well be in the present case. The social futures, one or the other of which we are bidden by present day prophets to choose, are like two radii of a circle. They point in very different directions, it is true, but between them are many possible yet uncharted goals. And if social development may be likened to movement in three instead of only two dimensions the lines open to the future are enormously more divergent than our seers are wont to conceive. Employing a less mathematical figure, prophecy usually proceeds from the assumption that cataclysmic changes are immediately impending. Otherwise, by the way, the prophets would utterly fail to attract attention. But this presupposes an extremely plastic condition of society. If social structures, however, really are so plastic, they may then be remoulded not into one or two forms merely, but into many other forms conceivable or inconceivable at the present time. Current and widely accepted forecasts to the contrary, therefore, one may still venture to doubt that our through ticket to 1950 or 2000 A.D. is inscribed either "socialism" or "financial oligarchy," and stamped "non-transferable."

Whatever the future may bring forth faith has not yet been lost in the efficacy of state regulation. It is certainly within the bounds of possibility that some working balance between government and industry may be established through this means which will continue indefinitely. As late as 1870,

according to Mr. Dicey, individualistic opinions dominated English law-making thought.[1] Reaction from the doctrine of *laisser faire* was, if anything, even later in the United States. For a considerable period after the turning point had been passed measures of state regulation were weakened by survivals of old habits of thought. Even today the period of construction and extension along the line of state regulation seems far from finished. Certain inevitable errors have required correction, but no major portion of the system has been abandoned. Further progress should be made easier by accumulating experience and precedents.

It is significant of the temper of the American people on this question that an increasing number of the great successes of our political life are being made by the men who have shown themselves strongest and most resourceful in correcting the abuses of business. Under present conditions no public man suspected of weakness on this issue has the remotest chance of election to the presidency or to the governorship of any of our larger states. On the purely administrative side of the system of state regulation new and more powerful agencies, —such as the Bureau of Corporations and the various state Public Service Commissions,—have been devised recently to grapple with the situation.

Considering the extreme importance of the work which such agencies have to perform it is improb-

[1] "Law and Opinion in England," p. 216.

able that either their position, or the position of government in general, is as yet sufficiently strong with reference to corporate interests. Under modern conditions success in business means very large material rewards. Important as are industry and commerce, however, certain parts of the work which the state is now performing are, from the social point of view, immensely more valuable. The commonweal requires that our best intellect be applied to these tasks. Any condition which favours the drafting of our ablest men from the service of the state into the service of business is a point in favour of the latter wherever the conflict between them is joined. Yet not infrequently we witness the promotion of judges to attorneyships for great corporations, the translation of men who have won their spurs in administrative supervision of certain kinds of business to high managerial positions in these same businesses. As long as our morals remain as mercenary as those of a Captain Dugald Dalgetty there may seem to be little to criticise in such transactions. Doubtless loyalty is shown by the men concerned to the government, their original employer, and to the corporation, their ultimate employer. If, however, there is to be an exchange of labourers between these fields it would be vastly better for the state if the man who had succeeded brilliantly in business should normally expect promotion to high governmental position. As things are at present

the glittering prizes known to be obtained by ex-government officials who have gone into corporation service cannot have the most favourable effect upon the minds and activities of officials remaining in public positions requiring them to exercise supervision over business activities.

It is high time that there should be a reversal of policy in this connection. We need urgently greater security of tenure, greater social esteem, much higher salaries, and ample retiring pensions for those public officials who are on the fighting line of modern government. Incomes as large as those of our insurance presidents or trust magnates are not needed, although in many cases they would be much more richly deserved. There is recompense which finer natures will always recognise in the knowledge that they are performing a vitally important public work. In spite of the loss which political corruption causes the state it is probably more than made up by the devoted, and in part unrequited, work of its good servants. Still the labourer is worthy of his hire. It is both deplorable and disastrous that the current rewards of good service should be so meagre while the rewards of betrayal are so large.[1]

But it may be objected that public sentiment in a democracy will not support high salaries even

[1] *Cf.* H. C. Adams, "Public Debts," pt. iii, ch. iv, for a very able discussion of the influence of the commercial spirit on public officials.

for the most important public services, that democracies notoriously remunerate their higher officials very much less adequately than monarchies. The time is ripe, however, for challenging this attitude. As long as government work is looked upon as a dull, soulless, and not extremely useful routine, popular opposition to high salaries is not only comprehensible but praiseworthy. Once convinced of the value of certain services, however (and there is plentiful opportunity to do this), it is doubtful if self-governing peoples will show themselves less intelligent than kings. Even now engineers directing great and unusual public undertakings are frequently paid larger salaries than high officers of government charged with the execution of ordinary functions. Recognition of the importance of the work of the specialist is much more common now than formerly. The development of science and large scale industry is daily enforcing this lesson. As regards the unwillingness of democracy to pay well, a change that has recently come over the policy of certain labour unions is worth noting. Instead of ordering strikes they have on occasion taken a lesson from the procedure of their employers, and resorted to the courts for the redress of grievances. And in doing so they have called in the very ablest lawyers they could find, paying the latter out of the funds of the union fees as large as they could have earned on the opposing side. A similar illustration is afforded by the

policy of the Social-democratic party in Germany which for a considerable period has recognised and met the necessity of remunerating its leaders in editorial, parliamentary, and propagandist work at professional rates far higher than the average wages received by the party rank and file.[1] Demos may despise aristocracy of birth but he is perhaps not so incapable of comprehending the aristocracy of service as many of his critics suppose.

By the system of regulation, as we have seen, government is brought into close contact with business along many lines. But the state is also one of the largest sellers and buyers in the markets of the world, and as such has many other intimate points of contact with economic affairs. Like any individual or corporation under the same circumstances it is liable to be victimised by practices designed fundamentally to make it sell cheaply or buy dearly,—both to the advantage of corrupt outside interests. Franchise grabbing is perhaps the most magnificent single example of the difficulties the state encounters when it appears as a vendor. Popular ignorance of the real nature of such valuable rights has been responsible for enor-

[1] *Cf.* sec. vii, "Die Organisation als Klassenerhöhungsmaschine," in Robert Michel's very thorough and illuminating study of the organisation of the German social-democracy. *Archiv. f. Sozialwissenschaft und Sozialpolitik,* Bd. xxiii, Heft 2 (September, 1906).

mous losses on this score. A city which for any reason had to dispose of a parcel of land would find itself safeguarded in some measure by the fact that a large number of its citizens were familiar with real estate values and methods. Knowledge of intangible property is very much less common. There has been a great deal of effective educational work along this line, however, and that community is indeed backward which at the present time does not understand perfectly that perpetual franchises without proper safeguards of public interests are fraudulent on their face. Administrative agencies such as were referred to in connection with business regulation, and particularly public service commissions, are doing extremely valuable work in cutting down the possibilities of franchise corruption. The grabbing of alleys, the seizure of water fronts, and the occupation of sidewalks are minor forms of the same sort of evil which can no longer be practised with the impunity characteristic of the good old free and easy days of popular ignorance and carelessness.

In disposing of its public domain, although here, of course, the price obtained was not the major consideration on the part of the government, notorious cases of corruption were of common occurrence. Recent developments, particularly in connection with timber, mineral, and oil lands, reveal the stiffer attitude which the public and the government are taking on this question. Time

was also when deposits of public funds yielded little or no interest to cities and counties. At bottom such loan transactions were sales, *i.e.*, the sale of the temporary use of public monies. Quite commonly treasurers were in the habit of considering themselves responsible for the return of capital sums only, and any interest received was regarded as a perquisite of office. The system had all the support of tradition and general usage; it was frequently practised with no effort at concealment and without protest on moral or business grounds. Nowadays its existence would be regarded as a sign of political barbarism, and would furnish opportunity for charges of corruption about which effective reform effort would speedily gather.

The element of selling is not of major importance in many services performed by the state which nevertheless require constant watching in order to prevent corrupt misuse. Efforts to use the mails improperly are continually being made by get-rich-quick schemes, swindlers, gamblers, and touts of all descriptions. Crop reports are furnished without charge, but extraordinary precautions are necessary to prevent them from leaking out.

Instances such as the foregoing also serve to illustrate the point that any extension of the functions of government results in an enlargement of the opportunities for political corruption. Gov-

ernment railways, for example, would afford venal public officials many crooked opportunities (as *e.g.*, for false billing, charges, and discrimination) which do not now exist as direct menaces to public administrative integrity. Private management of railways, however, has not been so free from such evils as to be able to use this argument effectively against nationalisation. Municipalities selling water, gas, or electricity, are notoriously victimised on a large scale by citizens whose self-interest as consumers overcomes all thought of civic duty or common honesty.[1] There is one other closely related phenomenon connected with the extension of the economic functions of government which will perhaps not so readily be thought of as corrupt, and which yet deserves consideration from that point of view. Public service enterprises under government ownership and management are always exposed to what some writers stigmatise as "democratic finance,"—that is strong popular pressure to reduce rates. Cost of production and the general financial condition of a given city may make the reduction of the prices charged for water, electricity, or gas, frankly contrary to public policy.

[1] For an overwhelmingly convincing presentation of materials on this point *cf.* the "Digest of Report by the Bureau of Municipal Research on the Administration of the Water Revenues, Manhattan,"—*Efficient Citizenship Leaflet,* no. 145. Corruption of this sneaking sort resembles tax dodging in that it is so largely indulged in by otherwise respectable people. *Cf.* p. 192.

Yet the self-interest of the consumer suggests the use of his vote and political influence to compel such reductions. Of course his action is not consciously corrupt, but it has every other characteristic feature of this evil.

The state is a much larger buyer than seller, and manifold are the possibilities of malpractice in connection with its enormous purchases of land, materials, supplies, and labour. Yet nothing in our contemporary political life is more marvellous than the light-hearted indifference with which the public regards the voting and expenditure of sums running into the millions. We recall vaguely that the great constitutional issues of English history were fought out on fiscal grounds, but we find the budget of our own city a deadly bore. We rise in heated protest whenever the tax rate is advanced by a fraction of a mill, but we regard with indifference the new forms either of necessary expenditure or needless extravagance which make such increases inevitable. There is one general advantage which state buying has over state selling, however. A great many of the purchases of government are made in competitive markets where fair price rates are ascertainable with comparative ease. Even large public contracts such as for erecting public buildings or for road construction are usually resolvable into a number of comparatively simple processes and purchases. Of course

there are exceptions, as for example government contracts with railroad companies for carrying mail. But as a rule the ordinary purchasing operations of the state are simpler and more easily comprehensible than such acts of sale as franchise grants,—to mention the one of most importance from the view point of possible corruption. It is precisely at this vulnerable point on the buying side of governmental operations that the New York Bureau of Municipal Research has struck home. With a skill that amounts to positive genius this voluntary agency has placed before the people the ruling market prices and the enormously higher prices actually paid by officials for public supplies. Taking the purchasing departments of our best organised private corporations as a model it has drawn practical plans for the installation of similar methods as part of our municipal machinery. Equipped with field glasses and mechanical registering devices its agents have kept tab upon the flaccid activities of labourers in the public service and have contrasted the long distance results thus obtained with the suddenly energised performances of the same men when they knew themselves to be under observation. It has co-operated quietly and effectively with all willing officials in improving the methods of work in their offices, in installing more logical accounting systems and better methods of recording work done; and it has fought effectively, with the penalty of discharge by the Governor in

two cases, those officials who were not amenable to proper corrective influences. And finally the Bureau has attacked the city budget and has even succeeded in making that dry and formidable document the object of active and intelligent public interest. Yet the cost of the Bureau's work has been out of all proportion small in comparison with the benefits obtained. "Less than $30,000 was spent in 1908 in securing for four million people the beginnings of a method of recording work done when done, and money spent when spent, which will henceforth make inefficiency harder than efficiency, and corruption more difficult than honesty."[1]

It is extremely gratifying to note the widespread interest which this work is arousing. Philadelphia and Cincinnati have established bureaus under the supervision of the parent organisation, and other cities are earnestly considering similar action. There would seem to be ample opportunity for the employment of the same sort of agency in connection with our state governments, and possibly in certain fields of national administration. Altogether it is by far the most noteworthy recent effort to stamp out governmental inefficiency and corruption. Other efforts are being made to the same end, particularly where extravagance is concerned.

[1] "Enough Money to Uplift the World," p. 6, by William H. Allen, Director, Bureau of Municipal Research, reprinted as a pamphlet by the Bureau from the *World's Work* of May, 1909.

In many cities business men's clubs, improvement associations, and taxpayers' leagues, are watching expenditure as it has never been watched before. Public officials have co-operated loyally in a number of cases. Occasional discoveries have been made of safeguards and powers in the law which had been long forgotten or unused. The progress of uniform bookkeeping is rapid and highly significant in this connection. Aided largely by the latter development census reports, particularly the special issues dealing with statistics of cities of over 30,000 inhabitants, are making it possible to compare municipalities on strictly quantitative lines as to the cost and efficiency of various services. Altogether we are developing a new financial alertness and intelligence that should materially cut down various forms of political inefficiency and corruption, particularly on the purchasing side of governmental operations. It is not too much to say that the methods by which these results are to be effected are either at hand or capable of being worked out on demand. The question now is simply one of funds and the training of specialists to do the work.

Efforts by the state to regulate or suppress vice and crime bring about reactions on the part of the interests affected not unlike those which follow from the attempt to regulate legitimate business.[1]

[1] *Cf.* p. 5, *supra,* for a discussion of the consequences of the corrupt protection of vice and crime.

The corrupt practices thus occasioned are among the commonest and most objectionable that society has to contend with. Very large money returns in the aggregate are obtainable by political organisations which protect vice. It is doubtful, however, whether such sources of income are ordinarily so productive financially as the various corrupt relationships between business and politics described above. On the other hand the alliance between politics and the underworld has the advantage, from an unmoral point of view, that it yields not only money but also strong support at the polls. And as some of the voters whose support is thus secured may be depended upon for work as repeaters, ballot-box stuffers, and thugs, the net political power which they wield is much greater than their number alone would indicate. There is one other important difference between the corruption arising from the attempt to regulate legitimate business and that which arises from the regulation of vice. In the former case a "deal" can frequently be consummated between two principals, the leader of a centralised business interest on the one hand and the leader of a centralised political organisation on the other. Something of the secrecy and the binding personal obligation of a "gentleman's agreement" are thus obtained. Of course to carry out the compact the political leader must control the action of his dependents in public office, but the latter, whatever

they may suspect, know nothing definite about the agreement into which the boss has entered. The protection of vice cannot be managed by so small a number of conspirators. Compliance by the whole police force with orders from the "front" is necessary. Every patrolman knows what is going on when he is told that he must not molest dives, gambling hells, or brothels. Members of the force may or may not be used to collect protection money and pass it "higher up," but since there are many establishments which must pay tribute the employment of a considerable corps of collectors is necessary. In any event the number of those who have knowledge amounting to legal evidence is likely to be much larger in the case of the protection of vice than in the case, for example, of a corrupt franchise grant. Exposure either by some disgruntled police officer or by some overtaxed purveyor of vice is likely to come at any moment.

When revelations of this kind are made the moral uprising which follows seldom lacks force. Cynics may sneer at such popular manifestations as paroxysms of virtue, but practical political leaders are not likely to underestimate the damage which they are capable of inflicting. Even if the machine emerges comparatively unharmed from such a period of attack the heads of some of the leaders are likely to fall before the popular fury. Remembering Fernando Wood's caution about the

necessity of "pandering a little to the moral element in the community," farsighted bosses are therefore more and more inclined to limit their operations in the field of vice protection and to seek support from their relations with legitimate business interests. If this process is carried on further, as now seems likely, the general problem we are considering will be simplified by the reduction to a minimum of corruption by the vicious element, although, of course, we would still have on our hands the large question of corruption in the interests of otherwise legitimate business.

With all their mistakes and wasted energy moral uprisings will help this development materially. After a "spasm" things seldom fall back into the lowest depths of their former state. We need more frequent spasms, at least until we shall have learned to live continuously and steadily on a higher plane. The gravest evil of the present intermittent situation would seem to be that in our occasional fits of indignation we write requirements into the law which, considering the prevalence of minor vicious habits among large masses of the people, are impossible of execution. One of the lessons which we have learned in attempting to regulate business is that legislation of this sort must be supplemented by special administrative agencies if it is to have any effect whatever. Admirable child labour laws, for example, remain absolutely futile without labour commissioners and

a force of inspectors created particularly to see them enforced. Yet in the regulation of vice we rush on heedlessly piling one new duty after another upon an already overburdened and underpaid police force. As a consequence its chiefs become habituated to the idea that they can exercise discretion as to what laws are to be enforced and what laws may with impunity be neglected. Usually the police decision of such questions is that crime must be dealt with vigilantly and severely, vice, on the other hand, with large tolerance. No better situation could be devised for the schemes of corruptionists. Moreover the latter are materially aided in their nefarious work by the high standards and the severe penalties which the moral element has written into the law. Using these as clubs the corrupt politician can extort much larger contributions than would otherwise be possible. There are only two ways in which this situation may be met. Either we must reduce our too ambitious programmes for the regulation of vice, or we must strengthen our police forces until they are adequate to meet the demands placed upon them.

In whatever way this question may be decided there is ample ground for demanding the application of the most thoroughgoing civil service reform rules to our police establishments. It is well known that the rank and file of our police forces despise the dirty work forced upon them by the political wretches " higher up." No man capable

of the heroic deeds which are commonplace in the annals of the police service rings the doors of bawdy houses and collects a tithe from the sorrowful wages of shame except under the compulsion of the sternest bread and butter necessity. Usually it is necessary to select the yellow dogs of the force for this particular devil's work, and the promotion of such creatures for their pliancy is a stench in the nostrils of their honest comrades. If one doubts that this is the real spirit of the police force let him consider the character of the fire departments of nearly all of our cities. The men in the latter service are chosen from the same class, face dangers of the same magnitude, and receive wages of about the same amount as policemen. In the main they deserve and receive high praise for their efficiency and honesty. It is true that they are not exposed to the corrupt temptations which surround policemen, and also that their work is held up to exacting standards by business men and insurance companies. The fact remains that our police forces are constructed of the same human material as our fire fighting forces. It is difficult to avoid the conclusion that if we adapt our requirements in the regulation of vice to the capacities of our forces, (or *vice versa*) ; if we criticise and appreciate their work in the same way as we do the work of their sister department; if we place their appointment, tenure, and promotion, upon grounds of merit and utterly exclude the influence

of the corrupt "higher-ups," we will have gone a long ways toward drying up the most despicable of the sources of political corruption.

Certain of the moral aspects of tax dodging have been dealt with in an earlier connection.[1] Contrary as it may seem to the principle of economic interest there is a good deal of carelessness and stupidity in this field, and cases are occasionally found of property that has been over-assessed. On the other hand more or less deliberate dodging is indulged in very largely. So far as this practice deserves the stigma of corruption it is a stigma which rests to a very considerable extent upon the so-called class of "good citizens." Certain residents of "swell suburbs" who daily thank God that their government is not so corrupt as that of the neighbouring city are among the worst offenders of this kind. As directors of corporations men of the same standing are sometimes responsible for monumental evasions. Of course what was said with regard to the reaction of business against state regulation holds good here also. There are plenty of legitimate methods of protesting against unjust or oppressive taxes,—before the courts, before legislatures, and by open propaganda designed to influence party organisations. But the furtive concealment or misrepresentation of taxable values is a matter of entirely different

[1] *Cf* p. 61, *supra.*

moral colour, and it is the latter practice that we now have to consider.

Tax dodging is so common and so well established that it has built up an exculpatory system of its own. Instead of bringing his conscience up to the standards set by the law the ordinary property owner inquires into the practice of his neighbours, and governs himself accordingly. Wherever business competition is involved the threat of possible bankruptcy practically forces him into this course. Yet withal our citizen is likely to be somewhat troubled in his mind about his conduct, at least until he learns how shamelessly John Smith who lives just a little way down the street has behaved. This information quite restores his equanimity, and at the next assessment he may outdo Smith himself. Thus the extra legal, if not frankly illegal, neighbourhood standard tends constantly to become lower. And not only taxpayers but tax officials themselves are affected by local feeling and fall into the habit of closing their eyes to certain kinds of property and expecting only a certain percentage of the valuation fixed by law to be returned.

Back of such neighbourhood ideas on taxation there are at least two lines of defence. One is that our present tax system is highly illogical, bothersome, and burdensome. To a considerable extent, unfortunately, this is the case, but it does not justify illegal methods of seeking redress.

Not much argument is required to convince the ordinary property owner that all the inequities of the existing system fall with cumulative weight upon his devoted head. His pocketbook affirms this view more strongly perhaps than he would care to admit, but anyhow the net result is that he feels himself more or less pardonable for evading the burden as far as he can. The other common excuse for tax dodging is supplied by the conviction that much of the money raised by government is wasted or stolen. The logic based upon this premise is most curiously inverted, but none the less it sways the action of great multitudes. Politicians are a set of grafters, says our taxpayer. The more money they get the more they will waste and steal. I will punish the rascals as they deserve by dodging my taxes, that is *by becoming a grafter myself.* Seldom, however, is the latter clause clearly expressed. Yet the existence of corruption on one side of the state's activities is thus made the excuse for corruption on another side whereby the state is mulcted of much revenue which it might receive. Of course evasion results in higher tax rates, which, by the way, fall crushingly upon the citizen who makes full and honest returns, and thus part of the loss in income to the government is made up. It seems clear, however, that in the long run government income is materially reduced by the feeling prevalent among taxpayers which has just been described and the pro-

cedure based upon it. On the whole this is by far the most serious single economic consequence of political corruption. It is bad enough that public money should be stolen, that public work should be badly done, and that politicians and contractors should grow rich in consequence, but it is far worse that the state should be starved of the funds necessary to perform its existing functions properly and to extend its activities into new fields. In the regulation of industry, in education, philanthropy, sanitation, and art, American government is very far from achieving what it should do in the public interest and what it could do more efficiently and cheaply than any other agency. Yet our progress toward this goal is perpetually hindered by the existence of waste and corruption on the one hand, and the consequent peremptory shutting of the taxpayers' pocketbooks on the other hand.

Consideration of the theory underlying tax dodging reveals certain broad lines of correction. In proportion as our tax system approximates greater justice, the evasion which defends itself on the ground of the inequities of the present system will tend to disappear. To show how this may be done is beyond the limits of the present study. Suffice it to say that the work which reformers and students of public finance are now doing on inheritance, income, and corporation taxes, on the taxation of unearned increment, on various appli-

cations of the progressive principle, and so on, should eventuate in the tapping of much needed new sources of income, and thus facilitate the correction of present unjust burdens. The introduction of economical methods and the elimination of the grosser forms of corruption in the field of government expenditure will weaken the excuses offered for evasion on the ground of public waste and graft. There is an overwhelming mass of evidence to show that the American taxpayer, once convinced of the necessity of a given public work and further assured that it will be honestly executed, is generous to the point of munificence. The annals of our cities are full of the creation of appointive state boards composed of men of the highest local standing and intrusted with the carrying out of some great single project,—the erection of a city hall building, the construction of a water works and filtration plant, or of a park system. Very few such commissions are grudged the large sums of money necessary for their undertakings. If every ordinary branch of our government enjoyed public confidence to a similar degree such special boards would no longer be needed, and ample funds would be forthcoming from taxpayers for all our present functions and for other new and worthy functions which might be undertaken greatly to the public advantage. Finally our system of tax administration, like our system of government regulation of business, needs

strengthening. Larger districts and centralised power in the hands of the assessors will help to lift them above the neighbourhood feeling which is responsible for so much evasion. Higher salaries will bring expert talent and backbone sufficient to resist the pressure brought to bear by large interests. As a matter of fact the first threat of a virile execution of the laws wipes out a considerable part of the tax dodging in a community.

There would also seem to be much virtue in the plan for the reduction of the tax rate advocated by the Ohio State Board of Commerce.[1] Given a community with a high general tax rate it may be the case, for example, that only about fifty per cent of true value is being returned. Everybody knows it; everybody is sneakingly ashamed of it. Still fundamental honesty is supposed to exist in the man who does not cut the percentage below say, forty; the really mean taxpayer is he who risks twenty-five per cent on what he feels obliged to return and conceals whatever he can into the bargain. Under such circumstances it is proposed to take the heroic step of reducing the tax rate to one-half its existing figure or even less.[2] If this

[1] *Cf.* especially No. 3 of the Taxation Series published by the Board, entitled, "Cincinnati an Independent Assessment District," by Allen Ripley Foote.

[2] The assumption is not extreme. In the pamphlet referred to it is held that by the various means proposed, Cincinnati's (then) rate of 2.96 per cent. might be reduced to 0.75 per cent. "When the real estate of the state of Kansas was re-

can be done it is hoped that taxpayers can be induced to return their property at full value, and that much personal property will come out of the concealment into which it has fled under the menace of a high general property tax rate. In support of this argument cases are cited where a reduction of the personal property tax rate alone has brought in much larger returns and converted into a source of revenue a form of taxation which everywhere under high rates shows a tendency to dwindle to practically nothing.

As against the plan it may be said that taxpayers are habitually suspicious and extremely likely to regard any change whatever as certain to increase their burdens. Many of them would see nothing in the proposition beyond a tricky device to screw up their valuations under the pretext of low rates with the intention of falling upon them later with rates as high or higher than before. Unless the reform were fully understood and then backed up by the most vigorous administration there would be grave danger that revenues would materially suffer. Given these conditions essential to success, however, the plan would seem decidedly worth trying. A community willing to take the plunge, it is pointed out, would enjoy large advantages

valued by the Tax Commission," according to Mr. Foote, "the valuation was increased 484 per cent." Of course real increase of property values through considerable periods of time accounts in part for such totals whenever assessment periods are a number of years apart.

over its less enterprising competitors in the advertising value of a low tax rate, particularly as a means of inducing new industries to locate in its midst. The reform would probably not increase revenue, indeed it does not aim to do so, but it would yield a moral return of immense value. Self respect would be restored to many otherwise thoroughly good citizens, and public opinion, to the tone of which the tax-paying class contributes largely, would be lifted to higher planes. Under the present vicious system there must be a considerable number who realise secretly and more or less vaguely the inherent kinship between their conduct and that of the corrupt political organisation under which they live, and who in consequence remain inactive and ashamed when movements for better things in city, state, or nation, are on foot.

In our earlier study of the nature of political corruption an effort was made to distinguish between bribery and auto-corruption. As examples of the latter, legislators may employ knowledge gathered on the floor of the chamber or in committee rooms for the purpose of speculating to their own advantage on stock or produce exchanges; administrative officials who by virtue of their position learn in advance any information which may affect the market (*i.e.*, crop reports) can do likewise; knowledge of important judicial decisions before they are handed down may be

exploited in a similar fashion; insiders who have access to plans for projected public improvements are in a position to acquire quietly the needed real estate for sale at much advanced prices to the city or state when condemnation proceedings are actually begun. In addition to large and striking transactions of this sort there are innumerable smaller possibilities for auto-corruption which present themselves to public functionaries ranging in rank from the highest places in the official hierarchy to that of the policeman on his beat. Logically the practices under consideration are not separable from the general forms of political corruption as the term is applied in the present discussion. Instead they would seem to be a special method of carrying on corrupt transactions of many different kinds. All cases of auto-corruption, however, have the common feature that bribery by an outside interest is excluded, and this absence of bribery has sometimes led to the assertion that the practices included under this heading are "honest grafts." An illusory appearance of innocence is also conferred by the difficulty of tracing the incidence of the burdens resulting from such transactions. There is no moral ground for such favourable distinctions, however. On the contrary, auto-corruption is clearly worse than bribery in that an entire transaction of this character must be guiltily designed and executed wholly by one person, and that person an official charged with

knowledge which should be used only in the public interest. Moreover the profits of his secret treachery may be turned entirely into his private bank account. If so he cannot even plead in justification that he has been acting in behalf of a party organisation by gathering and contributing the funds necessary to its management. The latter feature of auto-corruption stands in need of special consideration.

It may be laid down as a principle of fairly general applicability that political corruption as such is disadvantageous to the party organisation permitting it. From a purely tactical point of view it would be the extreme of bad party management to tolerate loose conditions under which a large number of officials could graft freely on their own account and place the entire proceeds in their own pockets. Whether they confined themselves to auto-corruption or accepted bribes singly or in combinations the case would not be materially altered. A day of reckoning at the polls would surely come, and it would find the party treasury unprovided with the means of defence. Yet conditions of this character prevailed pretty generally prior to the advent of strongly centralised political machines. Corruption was extremely diffuse, personal responsibility for it widely scattered, party responsibility not so clear. Manipulation required whole corps of lobbyists, "third houses," "black horse cavalry," and the like. Under present con-

ditions the party organisation with strongly centralised management has a direct interest in limiting corruption and also in seeing that contributions which arise from such practices as it tolerates actually flow into the party war chest. Corruption in purely selfish interest becomes treachery to the party as well as treachery to the state. Of course even under strong centralised and permanent party control cases of auto-corruption still occur, and at times officials receive bribes without turning in their quotas. If so, however, it may fairly be presumed that they make their peace with the organisation in other ways. They may be exempt from paying tribute, but they are nevertheless obliged to deliver votes or influence. Many sins are laid at the door of the machine. It has at least the advantage of enabling us to centralise responsibility for all corrupt practices which occur under its management.

From this point of view one may undertake an outline of the form of corruption connected with political control. All the preceding forms of political corruption may be considered the obverse, this is the reverse of the die. None of the practices earlier considered can be carried on without danger; the corruption of political control is the crooked means of avoiding the cumulative effects of these practices. It is not popular, it is not good politics even in the narrowest practical acceptance of that term, for a political organisation to grant

corrupt favours to business, to wink at the violation of the law by vice, to allow its partisans in office to sell government property cheap and buy government supplies dear. If any of these things are permitted the organisation, like the common criminal, must take care to lay aside " fall money " against a day of trial.

One might feel greater confidence in the restraining influence of party centralisation were it not for the fact that the more dangerous to party success are the forms of corruption which an organisation tolerates the more lucrative they are apt to be. Though its sins be as scarlet still they produce funds sufficient to buy indulgences and to leave a handsome profit over. In connection with business regulation, for example, bribery in any considerable amount is not possible until legislation is enacted or close at hand. And legislation of this kind is not likely to be passed or threatened unless a strong public sentiment demands action. Political manipulation which attempts to frustrate regulation at such a juncture must sooner or later prepare itself to reckon with the public sentiment which it has flouted. Vice cannot be tolerated except in contravention of laws against it, and to do so means to offend the moral sentiment in the community which placed such laws on the statute books. Franchise grabbing is not profitable on a large scale until the experience of earlier public service corporations has impressed upon the pub-

lic mind the great value of such grants. If, nevertheless, grabs are permitted by the machine, the boodle must be sufficient to pay both for the personal services involved and to repair any resulting damage to party prestige at the next election. Of course many citizens are apathetic with regard to such abuses or even ignorant of their existence, and there are others who are so involved in corrupt practices, particularly in connection with tax dodging, meter fixing, and the protection of vice, that they feel themselves allied in interest with the party organisation and accordingly vote its ticket. Always, however, there is a contingent, and frequently it is large enough to hold the balance of power, which is neither ignorant nor apathetic, and which, although perhaps too quiescent ordinarily, will rise in revolt against any organisation which grafts too boldly and too widely.

The situation of the venal machine is, therefore, substantially this: more money can be obtained at any time if certain practices dangerous from the point of view of party expediency are tolerated. If they are tolerated greater expenditures of money and of other party resources must be made when the final accounting with public sentiment takes place. To put the matter in another way: the forms of political corruption earlier described, *i.e.*, corruption in connection with the regulation of business and of vice and corruption in connection with the buying and selling operations of the state,

are for the most part sources of income, whereas corruption in the form of political control is mainly expenditure. Under George III., according to Mr. Dorman B. Eaton, a "Patronage Secretary of the Treasury" was appointed

> "whose duty it was to stand between members and partisan managers appealing for places for their favourites, on the one side, and the heads of offices who needed to have these places filled with competent persons, on the other side. This Secretary measured the force of threats and took the weight of influence; he computed the political value of a member's support and deducted from it the official appraisement of patronage before awarded to him. It is said that actual accounts, Dr. and Cr., were kept with members by this Patronage Secretary."[1]

Whether or not "accounts Dr. and Cr." are kept by our political organisations, a calculus of essentially the same character must underlie the determination of their policy.

On the spending, or political control, side of their ledgers the various heads are comparatively simple. Office holders must be kept in line, and to this end patronage, promotion, and the control of primaries are important. The direct use of money for bribes may play only a small part in this process; opportunities for auto-corruption may be left open in special cases, but personal and party loyalty and ambition can be relied on to a large

[1] "Civil Service in Great Britain," p. 154.

extent. Back of the office holders of the hour, however, there are the constantly recurring necessities of election day. Party organisation must be kept up continuously, involving the reward in some way of swarms of assistants and hangers-on who cannot all be remunerated directly at public expense. At times votes must be bought, and repeaters, thugs, and ballot-box stuffers must be paid for their services. A heavy toll is apt to be taken out of the funds used for such purposes by every hand through which they pass on their way down. In addition to the expenditures already noted there are many other occasions, some of them quite legitimate in character, and others unobjectionable or even laudable, for the lavish use of money to secure party success and party control.

The situation which has just been described is so common that the only justification for repeating its description here is the necessity of completing an outline the other parts and interrelations of which are somewhat more obscure. In the gradual awakening of the American people to corrupt conditions existing in their government the first evils clearly seen were the abuses of the patronage and the defilement of the ballot-box. Civil service reform and corrupt practices acts (the latter term seems lamentably narrow in its original usage to the present somewhat more sophisticated generation) were the result. Later the presence of purveyors of vice immediately behind much of the

prevailing electoral corruption was clearly discerned, and the battle on that score is still being waged. It is beyond question that our present local option movement is directed against the saloon not so much because it is a place where intoxicating liquor is sold, as because it is a political centre which did not know how to be moderate in its exercise of power during the days of its ascendancy. Still later the more secret relationship between grafting business and political corruption was laid bare. Renewed determination to impose the necessary measures of state regulation and, more specifically, the campaign contribution issue were the results. The problems presented by corrupt practices in connection with political control are still far from adequate solution. Reforms already achieved in the right direction, and still more the determination to press for further reforms, are the most hopeful features of the present situation. In our national government, for example, the civil service movement has reached a gratifyingly high development, but it still needs much extension and strengthening in our states and cities. We have some stringent legislation against ballot-box crimes, but, an election once settled, our tolerance on this subject is amazing and deplorable. Every act which simplifies our governmental machinery, which places responsibility squarely upon a few shoulders and provides means for enforcing it, which shortens our cumbersome ballots, which

makes the primary accessible to independent voters, will help in the solution of the problem of honest party control.

Without undertaking a summary of the argument on the various forms of business and political corruption the same point may be made with regard to them that was made with reference to the corruption in the professions, journalism, and the higher education,—namely that the major forms of evil are recognised and savagely criticised. To an even greater extent legislative action has been secured against the primarily political forms of corruption. The fight for the regulation of business is the great unsolved problem of our time, but so far as it is successful we may expect not only more honest business practices but also a favourable reaction upon political life. A great many means may be brought to bear to secure honesty in the buying and selling operations of the state and to prevent the corrupt toleration of vice. Their success will mean that the corrupt political manager will find himself deprived of some of his most lucrative sources of income. A strong impression prevails at the present time that corruption funds in general are much smaller in amount than a few years ago. In part this is perhaps due to a change of heart, in part to the fear, intensified by recent events, of exposure. Perhaps, however, it is still more largely the result of a conviction that the "goods" could not, or would

not, in the present state of public opinion, be delivered by the politicians. It is evident that the more successful we are in thus drying up the income sources of venal political organisations the smaller will be the resources available in their hands for the extension and perpetuation of their power of control.

CAMPAIGN CONTRIBUTIONS AND THE THEORY OF PARTY SUPPORT

VI

CAMPAIGN CONTRIBUTIONS AND THE THEORY OF PARTY SUPPORT

A PARTY, according to Burke, "is a body of men united, for promoting by their joint endeavours the national interest, upon some particular principle in which they are all agreed."[1] One must admit that the definition is admirable in that it lays emphasis upon the ideal end of party action,—the promotion of the national interest. It is adroit in that it evades the question so constantly thrust upon one in practical politics as to how far the real motive powers of party are class interest and personal greed and ambition. Applied to the simpler conditions of England where the single great object of political strife is the capture of a parliamentary majority, Burke's definition may be accepted as sufficient even to-day. But it would need considerable amplification before it could be regarded as an adequate description of the vital activities of an American political party.

While the threshing out of reforms proposed in the public interest and their translation into law is with us, as in England, the most important single function of party, still it is but one among

[1] "Present Discontents," Bohn ed. vol. i, p. 375.

a number of functions actually performed. Our adherence to the "check and balance" system involves the possibility of clashes between the legislative, executive, and judicial powers, and these clashes would certainly be both more frequent and more violent were it not for the party control which seeks to maintain harmony among the three great departments of government. The relation between our state and city governments is also such that conflict is chronic except where a party organisation secures concerted action. In the state and city governments themselves administration is so poorly organised that authorities would constantly be falling afoul of each other were it not for the intervention of party managers who realise the necessity of maintaining harmony. Our elections involve a tremendous volume of labour most of which is performed by party workers. Not only legislative, but also frequently executive and judicial candidates must be voted for; national, state, and local offices must be filled. Back of the elections is a complex convention or primary system which must be kept in running order. Referendum and latterly initiative and recall elections require servants and machinery. The ordinary good citizen who experiences a deep feeling of personal satisfaction if he casts his vote, and who until recently considered himself little less than a civic hero if he also attended his primary, seldom has an adequate conception of the enormous volume of de-

tailed work which a popular government such as ours involves. By those persons who are not so fortunately situated the political worker is called upon for all manner of services,—for aid in securing naturalisation papers, for assistance in obtaining employment, for advice in every emergency of life, for charitable relief. No doubt a *quid pro quo* is exacted in all these cases, but so long as philanthropy fails to provide other and better agencies the social value of such work must be admitted.[1] Considering these various and exacting party activities it is altogether probable, as Professor Henry Jones Ford maintains, that "the machinery of control in American government requires more people to tend and work it than all other political machinery in the rest of the civilised world."[2]

Under our present system the performance of this tremendous volume of work is essential. In connection with it many grave abuses have developed, but in the final balance there must be some surplus of good over evil. Moreover the division of labour which places the major portion of our political work in the hands of the much maligned politician is at bottom economic. By so doing we enable our "good" citizen to devote a larger share of attention to his business, his family, and the other more immediate affairs of life. No doubt

[1] *Cf.* Jane Addams, "Democracy and Social Ethics," ch. vii.
[2] *Cf.* "The Rise and Growth of American Politics," p. 312.

he has taken too great an advantage of this opportunity, and thereby enabled the political class to run things with a high hand. The future of democracy in America will depend largely upon the extent of the activity and intelligence manifested by our citizens. But at the very best the great mass can give only a limited portion of its time to public affairs. Too much politics and too little business, as in South America, is also bad.

So far as can be foreseen at present, therefore, the political worker and party machinery bid fair to remain functional and efficient in America for an indefinite period. Reforms harmonising and simplifying the departments and spheres of government may reduce to some extent the volume of our necessary political work. On the other hand our growth in population and the increase of governmental functions tend constantly to increase it. Whatever the future may bring forth present conditions clearly require the co-operation of strong parties with a complex governmental organisation. "In America," wrote Mr. Bryce, "the government goes for less than in Europe, the parties count for more. The great moving forces are the parties." Students of political science generally have recognised that parties constitute an integral and very vital part of our political system. It would perhaps not be putting it too strongly to maintain that our government is divided into what may be called an "official" part, consisting of the

legally constituted political structure and actual office holders, and an "unofficial" part, consisting of the party organisations and their workers. As things are now the co-operation of the two is absolutely essential to efficiency. Nothing is so helpless or so certain to disappear promptly from the political arena as an "official" group which has lost the support of its complementary "unofficial" organisation.

Now while the utility and necessity of co-operation between official and unofficial political forces is generally recognised by careful students we have, singularly enough, provided regular and legitimate means of subsistence only for the former, leaving the latter to shift for itself as best it may. Our unofficial political forces, *i.e.*, the party organisations and their workers, are, as we have seen, burdened with tasks of enormous magnitude. Under simpler conditions Burke's "body of men joined together for the purpose of promoting the national interest upon some particular principle" might indeed "by their joint endeavour" alone succeed in performing this work in a patriotic and disinterested spirit. With the growth of American population and the development of our very complex government, however, this became impossible. Steady professional work by a large body of men is demanded under present conditions. Much of this work the politician knows to be necessary and useful even if the full

measure of its social utility seldom dawns upon him. Naturally he thinks the labourer worthy of his hire, or, at any rate, he is keenly conscious of his own bread and butter necessities. No regular income being provided for the politician as such, he proceeds to collect it in various ways, some of them perfectly open and even praiseworthy, as in the case of campaign contributions made by disinterested persons, and others distinctly furtive or even corrupt and criminal. Under the old régime if his party was successful at the polls there was, of course, the possibility of a job,—that is of a translation from the unofficial to the official governmental sphere. Even in the hey-day of the spoils system, however, there were never jobs enough to supply the faithful and those who received appointments were consequently " assessed " large sums to pay for the labours of their less fortunate companions in arms. And the politicians of the beaten party went bare although their social service in arousing the people on the issues of the campaign was probably as valuable in proportion to their numbers as that rendered by the workers of the victorious party. Under the circumstances it was inevitable that the party worker in office would pay more attention to the requirements of the machine than to his public duties, and the evils thus occasioned naturally gave rise to civil service reform. Wherever it has been applied the merit system has done much to discourage the collection

of party revenues from office holders. As sources of income there remain, however, the manifold possibilities of the sale of politicial influence ranging all the way from permission to violate a municipal ordinance up to the sale of a franchise or the grant of legislative favours to large private interests. Many of the forms of corruption dealt with in the preceding studies are cases in point.

Whatever means may be employed to collect funds the total cost of party maintenance in the United States is extremely heavy. Referring to this frequently unreckoned burden, Professor Ford remarks: "It is a fond delusion of the people that our republican form of government is less expensive than the monarchical forms which obtain in Europe. The truth is that ours is the costliest government in the world."[1] Turn the matter about as one will it is inevitable that these costs of parties must be paid. Our present method of paying them is indirect, furtive, fraught with grave moral consequences, and it is tremendously extravagant. We do not perceive the latter point clearly because we seldom get an insight into the total amount demanded or into the many and devi-

[1] *Cf.* "The Rise and Growth of American Politics," p. 323. He adds that: "No other nation in the world is rich enough for the political experimentation which the United States is carrying on; but when the end crowns the work, its cost may be found to have been small in comparison with the value of the recompense."

ous ways by which it is collected. What is exacted of us in the final analysis is not to be reckoned in money alone but also in bad and inefficient government with all the harm that it entails upon business, health, security, and morality. And we must continue to pay in our present wasteful and foolish manner until we devise a better method or make some arrangement to dispense largely with the services of party organizations.

What the ultimate lines of the solution may be it is too early to inquire. It is only very recently that we have become aware of the existence and magnitude of the problem. Indeed in its present form the problem is itself of recent origin. Not until the presidential campaign in 1876 was money used on a scale which could be described as lavish. The interest which has been shown recently in campaign contributions is gratifying evidence that our former neglect of the sources of party support is giving way to lively interest. Such contributions, however, represent a part only of the total expenses of political management. Party organisations must be kept up permanently and politicians, in or out of office, have a large amount of party work to perform between elections. As a matter of fact campaign funds may be regarded as a form of provision for the surplus demand occasioned by the election time necessity of running the machine at full blast with a large number of supernumerary workers under employment. The size of the total

sums contributed at such periods, the influences behind some of the contributions, and the new interest of the public in these influences make it desirable, however, to consider the matter as a single but very important section of the broader subject of party support in general.

Admitting the necessity and utility under present conditions of party organisation and party work it is certainly not unreasonable to suggest that part of the burden of campaign management should be borne by the state. In his message at the beginning of the first session of the Sixtieth Congress, December, 1907, President Roosevelt said on this subject:

> "The need for collecting large campaign funds would vanish if Congress provided an appropriation for the proper and legitimate expenses of each of the great national parties, an appropriation ample enough to meet the necessity for thorough organisation and machinery, which requires a large expenditure of money. Then the stipulation should be made that no party receiving campaign funds from the Treasury should accept more than a fixed amount from any individual subscriber or donor; and the necessary publicity for receipts and expenditures could without difficulty be provided."

It was frankly admitted that this proposal was "very radical" and that until the people had time to familiarise themselves with it they would not be willing to consider its adoption. Indeed popular feeling nowadays, whether rightly or wrongly,

is strongly averse to the granting of aid to party organisations and is manifestly bent on cutting off some of their sources of supply rather than on providing others. Many objections may be made to President Roosevelt's proposal, some of them technical in character, others on the basis of principle. "Legitimate expenses" might be hard to define, but the attempt has been made already by several state legislatures.[1] Congress would either have to vote the same sum to each of the two principal parties, or else devise some scheme of

[1] Nevada was the first state to enact legislation of this character. (L. 1895, ch. 103; repealed, 1899, ch. 108.) In the same year a Minnesota law (ch. 277) presented a very detailed definition of legitimate expenses. The laws of Pennsylvania (1906, ch. 17), and of New York (1906, ch. 503), are very significant. Professor Merriam sums them up as follows: "Both provide that no expenses shall be incurred except of the classes authorised in the act. The New York list, which is rather more liberal in this respect than that of Pennsylvania, includes rent of halls and compensation of speakers, music, and fireworks, advertisement and incidental expenses of meetings, posters, lithographs, banners, and literary material, payments to agents to supervise the preparation of campaign articles and advertisements, and furnish information to newspapers; for advertising, pictures, reading material, etc.; for rent of offices and club rooms, compensation of clerks and agents; for attorneys at law; for preparation of lists of voters; for necessary personal and travelling expenses of candidates and committeemen; for postage, express, telegraph, and telephone; for preparing nominating petitions; for workers and watchers at the polls, and food for the same; for transportation of the sick and infirm to the polls." ("N. Y. State Library Review of Legis-

pro rata distribution. How minor political parties would fare under the former arrangement is not discussed. Colorado met this question in 1909, by providing that the state should pay twenty-five cents for each vote cast at the preceding contest for governor. The money is distributed to the state party chairmen in proportion to the votes cast by each party. One-half of it must be handed over to the county chairmen in proportion to the number of votes cast in each county. Other contributions to campaign funds are prohibited, except from candidates, who, however, may not give

lation, 1906," p. 160.) *Cf.* also Virginia, L. 1903, ch. 98; South Dakota, L. 1907, ch. 146; and California, L. 1907, ch. 350.

In 1907, New York took the further step of limiting the amount of expenditure for a given purpose, ch. 398 of that year providing that not more than three carriages in a city district, nor more than six in other districts, should be used for the transportation of voters. Acting on the same principle Massachusetts in 1908 (ch. 85), prohibited the employment by political committees of more than six persons in a voting precinct or city ward. As the lavish expenditure of campaign funds for service, rents, and commodities may become nothing more than a veiled form of vote buying, the significance of the action of New York and Massachusetts is apparent. The English Act of 1883 contains similar provisions.

The New Jersey law of 1906 (ch. 208) contains a long list of *prohibited* expenditures, including payments for entertainment, for fitting up club rooms for social or recreative purposes, or providing uniforms for any organised club, and the payment for insertion of articles in newspapers and magazines unless labelled as paid articles.

sums in excess of twenty-five per cent of their first year's salary. What the practical outcome of the plan may be it is, of course, impossible to predict. Just how a new minor party is to get itself started, apart from the limited contributions of its candidates, does not appear. Objection might also be raised to this *pro rata* arrangement on the ground that it bases the financial support of parties almost entirely upon their showing at the preceding election. So far as the strength of parties is determined by their money income the effect of the law will manifestly be to maintain the *status quo ante.* Theoretically party support ought to depend on the present actual standing of a party, that is, the comparative value to the state of its policies at the election for which its expenses are to be paid. Of course no agreement is possible as to just what this standing is in given cases. None the less it would seem clear that there might be a wide divergence between the relative showing made by a party at the polls two or more years ago and its present deserts. Possibly also a system of voluntary giving with restrictions of corporate contributions and other abuses might more correctly measure the current merit of parties than the *pro rata* state appropriation system.

The Colorado plan, with the exception of the limited contributions it permits from candidates, places the burden of election expenses entirely upon the state, and therefore prohibits contributions

both from corporations and individuals. President Roosevelt's suggestion is not so radical, involving as it clearly did the raising of funds by contributions in addition to the proposed congressional appropriations. If, however, the latter were made sufficient to provide for the " proper and legitimate expenses of each of the great national parties," one might inquire for what other purposes the campaign managers would need money. Waiving this question, a mixed system of state subsidies and private contributions has certain distinct advantages. There is considerable force in President Roosevelt's argument that publicity and the restriction of large contributions could be more easily obtained under a plan combining the two kinds of support. Public appropriations for campaign purposes would place the state in a stronger position logically to exercise supervision over the whole process of gathering and spending money for political purposes. However, it remains to be demonstrated that publicity and the restriction of objectionable contributions cannot be secured without the payment of party subsidies. Evidently, also, there would be difficulties in connection with the supervision of party activities necessary to determine whether or not the proposed congressional appropriations should be granted. Democratic campaign managers would certainly feel that no Republican congress could deal fairly with them in such matters, although a bi-partisan supervisory

board appointed by Congress might escape this suspicion.

Any appropriation of state funds for campaign purposes would also be objected to on grounds of principle. It is not considered a misfortune, for example, that a philanthropic, educational, or religious association must appeal to the public for contributions. On the contrary this very necessity forces the managers of such organisations to keep the service of the public constantly in view. Fully endowed charities, schools, and churches, on the other hand, have a notorious tendency to develop the dry rot or to degenerate into positive nuisances. It is possible that even if our two great parties were guaranteed support from state funds the keen rivalry between them might preserve them from deterioration. Still the logic of events may at any time demand the disbandment of a given political party. If at such a juncture it were assured a large subsidy, equal to or approximating that of the majority party, it might outlive its usefulness indefinitely, maintaining its organisation and a numerous body of adherents simply in order to devour the congressional appropriation provided for its useless campaign work.

There is one form of campaign expenditure, however, which the state may well assume and seek to extend, namely that incurred for performing any service offered equally to all parties. Already public provision is made for the rent of polling

places, the salaries of election officials, the printing of ballots, and some other expenditures of a similar character. Legal regulation of the primary and convention system, such as has been undertaken on a large scale within the last decade, offers opportunities for the payment of certain preliminary expenses in the same way. In connection with its referendum elections Oregon has begun to print and distribute at public expense documents containing the substance of the laws to be voted on, supplemented by brief arguments drawn up by adherents of both sides.[1] So far as this principle can be extended the real need for campaign contributions from private citizens or corporations will be reduced. Thus without going the length of placing the whole burden of campaign expenditures upon the state, experimentation may well be undertaken with various combinations of the mixed system. If found advisable the relative amount of the state's contribution may then be increased from time to time.

While the work of parties at the present time must be conceded to be essential and on the whole useful, the argument for their entire support by the state is still far from being made out. There is, as we have seen, a certain virtue in the very necessity under which parties labour of applying to the people for contributions. Normally it should

[1] *Cf.* also the Oregon law proposed by initiative petition and adopted June 1, 1908.

have the effect of keeping the parties closer in interest to the people. It is highly improbable that the question of campaign funds would ever have been raised in American politics if party contributions were habitually made by a large number of persons each giving a relatively small amount. If in addition the donors were inspired by patriotic motives only and never sought to procure corrupt favours through their contributions such a system would be well nigh ideal. With all the abuses that have sprung up in this connection it is probably true that by far the larger number of the contributors to our campaign funds have been of the better type just described, although, of course, the same judgment would hardly be expressed with regard to the greater portion of the total amounts contributed. Under a system of small contributions from a large number of people it would matter little even if some of the contributors were not wholly disinterested. The relatively small proportion of the total sum represented by any individual subscription would make it absurd for the donor to claim corrupt favours of importance. It is not so much the campaign contribution itself that has fallen into disrepute among us as the secrecy involving the whole subject and the belief that large corporate contributions have been repaid by corrupt favours. Short of public subsidies, therefore, most of the advocates of reform in this field content themselves with the demand for pub-

licity and certain restrictions as to the collection and expenditure of campaign funds.

The movement for publicity was preceded by much vigorous legislation against the bribery of voters and other abuses at the ballot-box, but as these subjects have been abundantly discussed elsewhere they need only incidental mention here. New York led in the movement for publicity proper with a law passed in 1890 (ch. 94), requiring candidates to file statements of their expenditures. This act was very ineffective, no publicity being required for the expenses of election committees. Most of the laws subsequently passed have brought campaign committees as well as candidates specifically under regulation.[1] By the end of 1908, more than twenty states altogether had taken some action looking toward the publicity of expenditures. The earlier laws of this character were very loosely drawn. In many cases they simply required "statements," and the results obtained were distinguished chiefly by gross inadequacy and heterogeneity. Later statutes and amendments, however, have fixed the form of reports precisely, itemising them in considerable detail. Wisconsin, for example, furnishes blanks especially prepared for this purpose. Vouchers for all sums exceeding five or ten dollars are required in a number of states. Publicity of receipts is not

[1] New York now requires full reports from committees also (ch. 502, L. 1906).

so commonly prescribed as publicity of expenditures. Reports of contributions were first required by Colorado and Michigan in 1891, followed by Massachusetts in 1892, California in 1894, Arizona in 1895, and Ohio in 1896. Repeals of the laws first passed in Ohio and Michigan indicate that they were somewhat ahead of public sentiment at the time, although they would hardly be so regarded now. In this connection the New York law of 1906 (ch. 502), was an event of first class importance. It compels political committees to file detailed statements of receipts as well as expenditures, and provides for judicial investigation to enforce correct statements. The great weight of the name of the Empire State is thus placed squarely behind the demand for real publicity of receipts.[1] Under this act, voluntarily accepted by the national chairmen in 1908, publicity was given to the finances of a presidential campaign for the first time in the history of the country.

In the national field the nearest approach to legislation prescribing publicity for campaign contributions was made by a bill (H. R. 20112) introduced into the House of Representatives in 1908. Briefly this bill covered both expenditures and contributions of the national and the congressional campaign committees of all parties, and of "all committees, associations, or organisations which

[1] Iowa, L. 1907, ch. 50, followed New York's example.

shall in two or more states influence the result or attempt to influence the result of an election at which Representatives in Congress are to be elected." Treasurers of such committees were required to file itemised detailed statements with the Clerk of the House of Representatives "not more than fifteen days and not less than ten days before an election," and also final reports within thirty days after such elections. These statements were to include the names and addresses of contributors of $100 or more, the total of contributions under $100, disbursements exceeding $10 in detail, and the total of disbursements of less amount. The bill also contained provisions, which will be referred to later, designed to cover the use of money by persons or associations other than those mentioned above. Unfortunately a provision was tacked on to the foregoing raising the question of the restriction of colored voting in the South and hinting at a reapportionment of congressional representation under the Fourteenth Amendment to the Constitution. As a consequence an embittered opposition was made by the Democrats who charged that the latter provision was deliberately introduced in bad faith with the intention of making the passage of the bill impossible. In the House it was carried by a solid Republican vote of 161 in its favour to 126 Democratic votes in opposition, but was allowed to expire in the Senate Committee on Privileges and Elections for fear

that it would become the object of a Democratic filibuster.

Whatever may be the merits of the proposal to readjust congressional representation it is clearly a question which is logically separable from that of campaign contributions. If this separation is effected there would seem to be reason to hope that a publicity bill similar in its main outlines to that of 1908 can pass Congress. While a platform plank of this sort was voted down in the Republican National Convention of that year, Mr. Taft in his speech of acceptance said:—

"If I am elected President I shall urge upon Congress, with every hope of success, that a law be passed requiring a filing in a Federal office of a statement of the contributions received by committees and candidates in elections for members of Congress, and in such other elections as are constitutionally within the control of Congress." [1]

[1] Republican Campaign Text Book," 1908, p. 25. In his message at the beginning of the second (*i. e.,* the first regular) session of the Sixty-first Congress on December 7, 1909, President Taft returns to the subject as follows:

"I urgently recommend to Congress that a law be passed requiring that candidates in elections of Members of the House of Representatives, and committees in charge of their candidacy and campaign, file in a proper office of the United States Government a statement of the contributions received *and of the expenditures incurred* in the campaign for such elections, and that similar legislation be enacted in respect to all other elections which are constitutionally within the control of Congress."

The passage in the foregoing, italicised by the writer, is

The manœuvring for position between the parties in 1908 which resulted in the voluntary acceptance by each of high standards of publicity is too fresh in the public mind to require rehearsal here. For the first time in the history of presidential elections some definite information was made available regarding campaign finances. The Republican National Committee reported contributions of $1,035,368.27. This sum, however, does not include $620,150 collected in the several states by the finance committees of the Republican National Committee and turned over by them to their respective state committees. The Democratic National Committee reported contributions amounting to $620,644.77. The list of contributors to the Republican National Fund contained 12,330 names.[1] The Democratic National Committee filed a "list of over 25,000 names representing over 100,000 contributors who contributed through newspapers, clubs, solicitors, and other organisations, whose names are on file in the office of the

noteworthy in that it indicates a step in advance by the president. His speech of acceptance referred to contributions only, whereas the message of December 7, 1909, demands publicity of expenditures as well as of party income.

[1] New York *Tribune*, November, 24, 1908, p. 3. The Cincinnati *Enquirer* of November 22, 1908, said that approximately 20,000 persons contributed to the Republican fund. Possibly the discrepancy is due to the inclusion in the latter figure of contributors to the finance committees of the Republican National Committee in the several states, which as noted above collected $620,150.

chairman of the Democratic National Committee at Buffalo." [1]

On many points, unfortunately, the two reports, while definite to a degree hitherto unknown, are not strictly comparable. Some species of "uniform accounting" applicable to this subject is manifestly necessary before any detailed investigation can be undertaken. One big fact stands out with sufficient clearness, however, namely that the national campaign of 1908 was waged at a money

[1] Cincinnati *Commercial-Tribune,* November 23, 1908. According to the New York *Tribune* of November 24, 1908, p. 3, in which is given a list of contributors to the Republican fund in sums of $500 and upward the larger contributors to the Republican fund were as follows: C. P. Taft, $110,000; Union League Club, New York, $34,377; Larz Anderson and G. A. Garrotson, each $25,000; Union League Club, Philadelphia, $22,500; Andrew Carnegie and J. P. Morgan each $20,000. In addition to these there were fifteen contributors of sums of between $6000 and $15,000 inclusive; twenty-four contributors of $5000 each; thirty-four of sums between $2500 and $4000 inclusive; twenty of $2000 each; twenty-eight of sums between $1250 and $1500 inclusive; one hundred and nineteen contributors of $1000 each; ten of between $750 and $900 inclusive; and two hundred and fifty contributors of $500 each.

The Democrats made a preliminary report of contributions on October 15, and daily reports thereafter until the election. As the newspapers did not state clearly whether the later figures regarding contributions were inclusive or additional it is difficult to summarise the larger contributions accurately. According to the New York *Times* of October 14, Tammany Hall sent a check for $10,000 to the Democratic National Committee. The general report issued October 15, showed the following contributors in excess of $2000: C. J. Hughes,

cost far below that of the three preceding campaigns.

Basing his estimate upon what is said to have been spent in 1896, 1900, and 1904, Mr. F. A. Ogg placed the total cost of a presidential election to both parties, including the state and local contests occurring at the same time, at $15,000,000.[1] One-third to one-half of this enormous sum, in his opinion, must be attributed to the presidential campaign proper. Compared with this estimate of from five to seven and a half millions the relatively modest total of something more than

$5000; W. J. Bryan, Profits of the *Commoner*, $4046; Nathan Straus, $2500; National Democratic Club, $2500; Norman E. Mack, $2000; Sen. W. A. Clark, $2000; George W. Harris, $2000. Some of the foregoing were reported as making contributions after October 15, and if other contributions reported at various times were not repetitions the list of contributors of $2000 and over would be somewhat increased. On October 29, the New York *Times* reported a gift of $10,000 from Herman Ridder, Treasurer of the Democratic Committee, and gifts of $9000 each from his three sons, Victor, Bernard, and Joseph. A contribution of $3000 from E. F. Goltra was also reported on this date. In addition to the foregoing, five contributions of between $1000 and $1500, and thirty-three of a thousand dollars each were reported. According to the Cincinnati *Commercial-Tribune* of October 16, Democratic newspapers collected almost $100,000 out of the $248,000 obtained up to that date. The New York *Times* of October 31, noted that one paper, *The New Orleans States*, had collected a total of $22,000, said to be the record contribution for any one newspaper.

[1] "The Dollars Behind the Ballots," *World To-day*, vol. xv (1908), p. 946.

two and a quarter millions shown by the figures of 1908 must be counted a strong argument in favour of publicity.

The most important single issue raised by the policies of the two parties during the last presidential campaign was that of publicity before or after election. Early in the campaign the Democratic National Committee decided to publish on or before October 15th all individual contributions in excess of $100; contributions received subsequent to that date to be published on the day of their receipt. Following the principle of the New York law both parties made post-election statements. It is manifest that complete statements of expenditures, or for that matter of contributions as well, can be made only after election. Every thorough provision for publicity must, therefore, require post-election reports. Shall preliminary statements also be required? As against the latter it is urged that contributors whose motives are of the highest character will be deterred by the fear of savage partisan criticism. If publicity is delayed until after the election campaign bitterness will have subsided and a juster view of the whole situation will be possible. In favour of publicity before the election it is said that two main ends are aimed at by all legislation of this sort;—first to prevent the collection and expenditure of enormous sums for the bribery of voters and other corrupt purposes, and, second, by revealing the source of

campaign funds to make it difficult or impossible for the victorious party to carry out corrupt bargains into which it may have entered in order to obtain large contributions. Publicity after the election will, indeed, serve the second of these ends, but publicity before would be much more effective in preventing corrupt collection and expenditure of funds. Moreover it might prevent the victory of the party pursuing such a policy and thus, by keeping it out of power, render it incapable of paying by governmental favour for its contributions.

In attempting to arrive at a conclusion on this issue it is difficult to assign it such practical importance as it received during the campaign of 1908. Publicity after election simply delays the time of exposure. The knowledge that it is bound to come must exert a very powerful influence over intending contributors. That this was the case in 1908 is pretty convincingly demonstrated by a comparison of the figures of that year with the figures for earlier presidential campaigns. It is certain that publicity pure and simple, whether before or after election, will seldom show on the face of the returns any facts seriously reflecting upon party integrity. If there is to be difficulty in administering laws of this character it will come in the way of getting at real, complete statements, going back of the names and figures on the return if necessary. On the other hand it is not altogether to be deplored that before election publicity

may result in rather bitter criticism of some contributors. Gifts in general, as we have already noted,[1] stand in especial need of criticism, and this principle applies with maximum force to campaign gifts. Designed as they are to affect public policy a plea for privacy cannot be set up on their behalf. If the criticism of contributors should go to extremes it will hurt the party making it more than the individuals assailed. Contributors who know their own motives to be honourable ought not to allow themselves to be deterred by baseless clamour. If, however, such criticism is just, both the individual making, and the party receiving the suspicious contribution deserve to suffer. By deterring other contributions of a similar questionable character a distinct public service will be rendered by such ante-election criticism. Knowledge of the sources of the financial support of a party is certainly not the only nor the best basis to be employed by an elector in determining the way he shall cast his vote, but under present conditions it is certainly a matter which he is entitled to take into consideration. While admitting, therefore, that there is room for honest difference of opinion on the question of publicity before or after election, the weight of the argument would seem to fall distinctly in favour of the former. It is sincerely to be regretted that the question became in a sense a matter of party record in 1908. Going back to

[1] *Cf.* p. 145, *supra.*

the congressional bill of the same year, however, it is worth noting that the Republican majority in the House once placed itself solidly and squarely on record in favour of publicity before the election. Looking at the matter solely from the lower standpoint of expediency that party is now in a most enviable position to revert to its earlier attitude and, by enacting the principle of ante-election publicity into law, to secure for itself the credit of a popular reform. This would place the two parties on a uniform legal basis for the future, and make it impossible for the Democrats to assume voluntarily a higher standard regarding publicity which they could then use as a campaign argument against the Republicans.[1]

There is one form of publicity before election, if it may be considered such, which while not a matter of public discussion would seem advisable in

[1] As final corrections were being made upon these pages the continental press announces the passage of a publicity measure by Congress. Unfortunately the writer is unable to secure details upon which to base a judgment of the new law. That publicity before election was not provided for is, in his opinion, to be regretted. On the other hand the enactment as federal law of a measure of this character represents a decided victory for a principle capable of great expansion. In this connection the able and persistent propagandist work of the National Publicity Law Association under the presidency of Mr. Perry Belmont deserves the warmest commendation. Noteworthy also is the fact that the Association includes in its membership many of the most distinguished leaders of both political parties.—Paris, July 1, 1910.

any event. Laws should require that all candidates must be furnished with daily accounts of the financial operations both as to receipts and expenditures of campaign committees and others acting in their interest. Even under the old régime of secrecy scandalous exposures sometimes occurred. Confronted by such untoward circumstances partisans always urged in defence that the candidate himself was the soul of honesty and that he was as ignorant as a new-born babe of the dirty work carried on by a handful of irresponsible and corrupt friends. No doubt there have been many cases where the moral insulation thus alleged really existed. On the other hand some of these pleas in defence and extenuation were abject farces. They should be prevented once for all by providing that every candidate must be fully and promptly informed regarding the financial conditions of his campaign. Indeed he is entitled to this information in advance of the public, for his personal honour is at stake. If, then, he should disapprove of the measures employed in his behalf he can take such action as may seem desirable to clear his reputation. If, on the other hand, he is willing that dubious methods should be resorted to, let him not attempt to play upon the credulity of the public in case of exposure.[1] It is notorious that the last refuge of a

[1] According to the English Corrupt and Illegal Practice Prevention Act of 1883, bribery as the unauthorised act of an agent renders the election invalid and disqualifies the

discredited machine is the nomination of a man whose personal honesty is above suspicion, and his election by every possible crooked device. While the campaign is going on the "irreproachable candidate" is kept carefully in ignorance of the methods of his more "practical" managers. After the election he may be told of them if it is necessary to force his compliance to corrupt bargains made in his behalf. Pre-election campaign publicity for the particular information of candidates ought to make it more difficult for a machine *in extremis* to save itself by the nomination of "irreproachables." Or if they are nominated they will at least be able to insist on the "irreproachable" conduct of their campaign. In any event such publicity would provide the voters with candidates of whom it might be assumed in every case that they knew exactly what sort of methods were being used to secure their election.

The question of campaign publicity involves, of course, the further question as to what organisations and officials shall make reports of contributions and expenditures. In a general way this duty, which originally was laid only upon candidates has been extended sweepingly to party com-

candidate from representing the constituency in which the offence was committed for seven years. While the penalty may seem drastic it has the good effect of compelling candidates to scrutinise expenditures in their behalf with a degree of anxious care seldom duplicated on this side of the Atlantic.

mittees and similar bodies. The language of the congressional bill referred to above is extremely broad, but it does not settle all the questions that may arise on this point. Associations may be formed which without nominating candidates of their own or undertaking other definitely partisan activities may nevertheless profoundly affect the outcome of an election. A curious illustration of this point may be found in the Missouri law of 1907,[1] which provided that civic leagues making reports on the fitness of candidates for public office must also publish the basis of their information and file statements of their expenses. It is manifest that leagues of this character, which seldom if ever nominate candidates of their own, may nevertheless come under the control of contributing interests and use their considerable influence to affect elections corruptly. Other illustrations are supplied by large organisations devoted to the propaganda of a given cause. In a tariff campaign, for example, both free trade and protectionist leagues might raise and expend enormous sums in a way that would materially affect the result at the polls. There is at least the possibility of evasion and trouble in this direction, mitigated, however, by the fact that in general the work of propagandist

[1] Missouri, L. 1907, p. 261. This law was declared unconstitutional in 1908, however, on the ground that it impaired liberty of press and speech. *Ex parte Harrison*, 110 S. W. 709.

leagues will be educational and free from grosser offences such as bribery of voters. Finally there is the possibility of large direct individual expenditures by warm friends or near relatives in favour of a given candidacy. This was met in the congressional bill by requiring reports of expenditures by persons other than members of campaign committees in excess of $50, not, however, including travelling expenses or postage, telegraph, and telephone charges.[1] Legislation compelling all contributors to make their contributions through campaign committees,[2] or forbidding the direct use of money by individuals may suffice to overcome this difficulty if it should ever become threatening.

Publicity laws have done something to fix responsibility for collections by specifying the nature of organisations which are compelled to report and further by requiring the appointment of certain financial officials in such organisations. It would seem difficult to go further in a legal way. There is, however, a manifest impropriety in the appointment of persons to do this work who through the exercise of their own official power or because of knowledge gained while in office could use threats express or implied in approaching prospective con-

[1] A similar provision was included in the Massachusetts law of 1892.

[2] A Michigan law which went into effect in 1892 (Repealed, ch. 61, 1901) provided that all expenditures on behalf of candidates, with few exceptions, should be made through the party committees.

tributors. At its worst this amounts to a subtle sort of corrupt blackmail which is only slightly veiled; at its best it may be condoned as a political device formerly considered clever but now so generally reprobated as to be dangerous. The general recognition of the purpose of such appointments should be sufficient to prevent the naming as party collectors of officials who come, have come, or are to come into contact with the business world through the exercise of the taxing or supervisory powers of government.

Closely associated with the subject of publicity is the question of the prohibition or limitation of contributions from various sources. Absolute prohibition, of course, could come only as a corollary to a system of government appropriations for campaign expenses. Under a mixed system of support or with wholly voluntary support, prohibition or limitation of certain kinds of contributions may be attempted by law. Of course there is a possibility that with publicity fully secured obnoxious contributions may become, through fear of criticism, extremely rare. Quite a number of states, however, have deemed it necessary to supplement their publicity acts with acts prohibiting or restricting certain kinds of contributions.

The most common objects of such prohibitions are, of course, the corporations. As early as 1894, Mr. Elihu Root, speaking in the New York Constitutional Convention in favour of an amendment

prohibiting contributions from such sources, said:—"It strikes at a constantly growing evil which has done more to shake the confidence of the plain people of small means of this country in our political institutions than any other practice which has ever obtained since the foundation of our government." Even now that the turning point has been passed and we are clearly on the way to better things there are few students of our public life who would dissent from Mr. Root's judgment of the seriousness of the question raised by corporate contributions to campaign funds. Missouri, Nebraska, Tennessee, and Florida, were pioneers in acting on this conviction, all four having passed laws in 1897 absolutely forbidding such gifts.[1] Several states followed in a desultory fashion until in 1907 a sudden burst of legislative activity occurred as a result of the New York insurance revelations. In that one year no fewer than eleven states passed laws forbidding life insurance companies to contribute, and five other states forbade all corporations of whatever sort to make contributions to campaign funds.

[1] Following the four states which took action in 1897, Kentucky forbade corporate contributions in 1900. In 1905, Minnesota (ch. 291) made it a felony for an officer of a business corporation to vote money to a campaign fund. Wisconsin in the same year (ch. 492) made it a felony for a corporation to contribute to political parties for the purpose of influencing legislation or promoting or defeating the candidacy of persons for public office. New York in 1906, (ch. 239) prohibited political contributions by corporations and made violation of the act a misdemeanor. Alabama,

It is frequently objected to laws of this character that they are worthless because they can readily be evaded. A corporation may secretly direct one of its officials to make a large contribution with the understanding that the money is to be returned to him later, concealed, it may be, in the price paid for some property which he sells the corporation. No doubt evasion of this sort is possible, but it will hardly become common because it involves the collusion of so many men not only in the management of the corporation but also in the party management, all of whom will fully understand the criminal nature of the transaction. On the corporation side, moreover, the act remains a gift, and withal a gift of a much more hazardous nature and one much less certain to bring returns than such gifts are reputed to have been in the past. Now even under the most favourable circumstances giving, whether by corporations or by individuals, is a somewhat painful process. The

Iowa, North Dakota, South Dakota, and Texas were the five states which forbade corporate contributions in 1907, and the following eleven were reported as specifically prohibiting contributions from life insurance companies in that year: Delaware, Indiana, Michigan, Minnesota, Montana, New Hampshire, New Jersey, North Carolina, North Dakota, Tennessee, and West Virginia. In 1908, Ohio, Georgia, Massachusetts, and Mississippi also forbade corporate contributions. Altogether to the end of 1908, seventeen states had forbidden corporate contributions in general, and eleven had specifically forbidden contributions from life insurance companies.

absence of souls in the case of the former does not seem to make their feeling of sacrifice any the less keen. It is highly improbable, therefore, that in addition to this natural obstacle and other disadvantages corporations are likely to run the risks of penal law frequently in order that they may bestow their surplus wealth upon party organisations.

Of course there are corporations so largely owned by individuals and so thoroughly identified with the latter that a contribution from them may seem to amount to the same thing as a contribution from the corporation. Technically, however, the money must be offered as a personal gift, and party managers might defend themselves on this score in case the contributor afterwards demanded a corrupt favour in the interest of his corporation. If the public remains suspicious of such large personal contributions by corporate managers the further step may be taken of fixing by law the maximum amount to be contributed by any individual.

Considering the special disabilities which have been laid upon corporations in the matter of campaign contributions it is indeed remarkable that similar restrictions have not been suggested for other associations. Either by gradually extending this policy or by a single sweeping measure the right of contribution may finally be brought to as purely individual a basis as the right of suffrage itself. Some partnerships, particularly in manu-

facturing and the express business, have been notorious seekers after special privileges, but not being corporations there is nothing to prevent them from contributing largely to campaign funds. Labour unions might be developed into very heavy contributors to campaign funds. Although in the latter case the contributions would come from a great number of individuals giving relatively small amounts each, yet the machinery of organisation and the emulation it could excite among the members might prove potent in producing very large sums in the aggregate. The same considerations apply to clubs, whether purely social or propagandist in character, which can contribute great sums without revealing the identity of large donors among their members,—except perhaps privately to the financial officers of a campaign committee. If publicity reveals any such abuses legislation to correct them along the same lines as our present corporate prohibitions may prove desirable.

Next to contributions by corporations political contributions from candidates would seem to stand most in need of restriction. The English Corrupt and Illegal Practice Prevention Act is very explicit and drastic on this subject. It even goes to the length of forbidding contributions for charitable purposes subsequent to the public announcement of the candidate's intention to stand for a borough. Our own legislation, however, has been very fragmentary except in so far as candidates were

affected by the general publicity requirements. By an act which went into effect, August, 1892, Massachusetts prohibited political committees from soliciting contributions from candidates who, however, might "make a voluntary payment of money —for the promotion of the principles of the party which the committee represents, and for the general purposes of the committee." While doubtless excellent as a statement of ideal relations it is questionable whether this enactment materially increased the obstacles intervening between campaign committees and candidates' pocketbooks. At least the legislature of the same state found it necessary in 1908 to provide that political committees should not solicit money from a candidate as a prerequisite to giving him his nomination papers.[1] A new departure was made by the Ohio law of 1896, known as the Garfield Act,[2] which endeavoured to grade candidates' expenses according to the number of votes cast, limiting them to $100 for five thousand voters or less, and providing that they should not exceed $650 in any case.[3] In case of violation the office of a successful candidate could be declared vacant at any time during his term. California, Missouri, Montana, Minne-

[1] Massachusetts, L. 1908, ch. 85.

[2] Ohio, L. 1896, p. 123; repealed, L. 1902, p. 77.

[3] Nebraska in L. 1899, ch. 29, fixed the same maxima and minima as the Garfield Act. The sliding scale principle was employed in the English Act of 1883.

sota, and New York, have also attempted the limitation of candidates' contributions or expenditures.[1] In 1895, Connecticut and New York forbade contributions by candidates except to authorised committees or party agents.[2] California, in 1907, adopted the rather doubtful expedient of limiting contributions from candidates according to the length of term and salary of the office for which they are contesting.[3] Perhaps the most significant step that has been taken in this direction was the action of New York which in 1906 prohibited contributions from candidates for judicial offices.[4]

With these exceptions contributions by candidates are in general free from legal regulation. There have been comparatively few great exposures to awaken the public conscience to the abuses that have grown up in this connection, but as to the widespread and extremely scandalous nature of these abuses no one who is in the least familiar with practical politics can have the slightest doubt. Broadly considered any large contribution by a candidate toward his own election is manifestly indelicate, not to say frankly improper. Custom has rendered us so familiar with this practice, however, that we are inclined to accept it as a matter of

[1] California, L., 1893, ch. 2; Missouri, L. 1893, p. 157; Montana, Penal Code, 1895, sec. 80 ff.; Minnesota, L. 1895, ch. 277; and New York, L. 1907, ch. 584.

[2] New York, L. 1895, 155; Connecticut, L. 1895, 338.

[3] California, L. 1907, ch. 350.

[4] New York, L. 1906, ch. 503.

course. There is a certain gambling spirit inherent in politics which is profoundly potent for evil. Primarily this is due, of course, to the inevitable uncertainties of campaigning. No single factor contributes to it more largely than the habit of "assessing" candidates for office. Honest and able men are frequently repelled from politics when they encounter this system. Some of them may hesitate to make the material sacrifices involved and are consequently deemed miserly by the politicians, although it is not the amount of money demanded but rather the uses to which these men know the money will be put that leads them to withdraw. It is not too much to maintain that the conditions now existing in many places are worse than the property qualifications once required by law to make one eligible to hold office. Our present "voluntary" contribution system, rendered practically obligatory by party authorities, is more burdensome on the candidate than a property qualification because it requires him not only to have property but also to sacrifice a considerable part of it to obtain office or the chance of office. The old property qualifications were really lighter and more democratic since they merely required prospective office holders to own so much, and all who possessed more than this fixed sum were eligible equally. The existing system which allows voluntary contributions by candidates unlimited as to amount is equivalent to a property

qualification interpreted in the light of the prospective generosity of the candidate. Party managers are continually under temptation to name the man who has the more money and can be expected to make the larger contribution. Of course this does not mean that the man with the biggest "bar'l" is always nominated. Other qualifications such as the man's education, character, and equipment for campaigning, must be taken into account as well as his ability and inclination to pay. Or if one candidate is placed on the ticket solely because of his liberality the general average must be raised by a larger admixture of brains and character on the part of his running mates. So long as candidates' contributions are unlimited as to amount we are, nevertheless, openly tolerating conditions which give the maximum effect to wealth as a qualification for public office. True we wish to encourage our men of wealth to go into politics, but we desire them to do so on the basis of their brains and character, not on the basis of their dollars. Even without the use of money in their own interest they enjoy a tremendous advantage for candidacy in their leisure and freedom from material cares. On the other hand the multimillionaire backed almost solely by his own wealth and unlimited as to the amount he can spend on his campaigning has already caused considerable annoyance in our political life and is likely to become an unmitigated nuisance if checks are not

applied betimes. Although cases of this sort are relatively infrequent as yet they are likely to occur more commonly in the future. Business prizes have been so large until recently that they have absorbed the attention of most of our men of wealth. To our captains of industry the money rewards of an office were as nothing, and the honour it conferred added little to their importance. Washington's recently acquired prominence as a winter residence for wealthy families may appear to be nothing more than a whim of gilded society, but the relationships thus established are certain to stimulate political ambitions in new quarters. With increasing power and social prestige attached to office,[1] more owners of great fortunes are likely to enter politics in the future. In general we have every reason to rejoice that this is the case, but we should also endeavour to adjust the terms of competition so that no undue political weight shall be given to the brute force of millions.

Underlying the system of contributions by candidates is the uncritical view that the latter should pay largely because they are to enjoy personally the honours and emoluments of office. Nominees, at least successful nominees, are deemed to be the special favourites of the party, and hence morally obligated to contribute generously to its support. Little consideration is given by those holding such views to the tremendous tax laid upon the vitality

[1] *Cf.* p. 177, *supra.*

of candidates by the strenuous modern methods of campaigning, certainly a burden large enough in most cases to justify their exemption from heavy financial contributions in addition. But there are other and more serious logical defects in the theory justifying such impositions upon candidates. Normally, of course, assessments of this character must be recouped out of the earnings of the office, although it is said sometimes to happen that the sum demanded for campaign expenses is larger than the salary for the entire term of occupancy. One of our states, as we have seen, attempts to limit candidates' contributions to a certain ratio of official earnings.[1] The clear implication of all this is that the salary of office is considered to represent first, a payment for the public services rendered by the office holder, and second, a surplus over the preceding which should be devoted to campaign expenses. If we accept this view we virtually accept the principle of the payment of campaign expenses in part at least by the state. One who repudiated this principle might therefore consistently demand the reduction of all official salaries by the amount of the campaign surplus which they contain over and above the value of services actually rendered by incumbents. As a matter of fact such a reduction would be most unfortunate, the truth being, as we have already had occasion to note, that most official salaries in the United

[1] See p. 250, *supra*.

States are too low. And, finally, a consistent believer in the principle of the payment of campaign contributions by the state might object to its realisation through the underhanded and coercive method of assessments levied upon candidates. Some perfectly frank and legal method of administering the subsidy would be far preferable.

Both in practice and theory, therefore, grave objections may be urged against a *laisser faire* policy in regard to campaign contributions by candidates. Effective publicity may possibly suffice to bring the abuses which have developed in this connection within bounds. The existing system, however, is old, widespread, and deeply entrenched. Public sentiment against it is far from being so strong as the facts warrant. Particularly significant in this connection is the recent action of New York in prohibiting contributions from judicial candidates. Doubtless the reason for this special limitation was the peculiar sanctity and impartiality which we associate with the functions of the judiciary. Yet in ideal at least these high qualities should attach to other public offices. So far, therefore, as the sanctity and impartiality of public office in general can be cultivated by prohibiting or limiting campaign contributions we should apply the reform to the legislative and administrative branches of government as well as to the judiciary.

It is worth noting that complete prohibition of such contributions, as in the New York instance,

will probably involve the limitation of contributions by others than candidates. A judicial or other nominee prohibited by law from using money on his own behalf might, for example, knowingly or unknowingly, owe his election largely to a few rich supporters who perhaps would not hesitate at some later time to try to use the influence which they had thus obtained. Indeed it is one of the redeeming features of the present system that men of ample means have sometimes bought independence in office by financing their own campaigns. If, therefore, it should prove desirable to restrict candidates' contributions in the future, care should also be taken to limit the contributions of third parties. Otherwise the latter, by assuming the financial burden taken from the shoulders of nominees might attempt to purchase political influence on which they could realise after those whom they assisted had obtained office.

While the foregoing argument has been directed chiefly to the case of candidates for elective office it is also applicable in some particulars to the campaign contributions of officials under civil service rules. Usually efforts are made with a considerable degree of success to protect the latter from the assessment system. The old abuse of extortion by officials of higher rank is in a fair way to be obliterated, although sporadic cases of this sort still occur even in the federal service. Unfortunately it is easy to appoint collectors who

themselves hold no office under civil service rules, but whose intimate personal relations with high officials are widely known to subordinates. Civil service employees of higher grades are probably too well informed of their rights to submit to extortion veiled in this or any other guise, but there are doubtless considerable numbers of the less intelligent and poorly paid civil servants, at least in some of our state and local governments, who are really being assessed frequently and heavily under the pretence, of course, of "voluntary" contributions. Probably it is true everywhere that those who suffer worst from this despicable malpractice are precisely those who are least able to bear it. Even this, however, is not the chief evil of the system. Absolute non-partisanship in their official work can hardly be expected of a body of men who are constantly being approached for campaign contributions, and in effect being reminded thereby that, civil service or no civil service, they are deemed to be subject in a peculiar degree to party taxation. Moreover one of the great weaknesses of the civil service establishment is the conviction on the part of the opposition party, inevitable whether or not it be justifiable, that civil service employees are being exploited for contributions by the party in power. Publicity may dispel both this abuse, so far as it exists, and also the misconceptions based upon it. If not it may prove desirable in the future to prohibit absolutely all

campaign contributions from employees under civil service rules. Administration will certainly be much easier and suspicion more difficult when no contribution whatever is legally permissible than under any system which permits "voluntary" offerings.

In addition to the prohibition or limitation of campaign contributions from certain specified sources the suggestion has been touched upon that it may prove desirable in the end to limit the campagn contributions of individuals. Just what theoretical basis might be found for fixing the exact amount of such limitation is not clear. Possibly the number of voters, the number of candidates, and the estimated legitimate costs of a given campaign could be combined in some way to give a definite result. In practice, however, the question of fixing a satisfactory limit to individual contributions will hardly present any great difficulty. Evasion of such limitations by means of dummy contributors is, as we have seen,[1] not very probable. There ought, however, to be a very stringent penalty against the custom of handing considerable sums to campaign treasurers personally with the understanding that the amount shall be turned in as the individual contribution of the treasurer himself. Limitation of the amount of individual contributions, together with the other safeguards that have been discussed, may prove a

[1] *Cf.* p. 246, *supra.*

very effective substitute for ante-election publicity. If we are assured that corporation contributions are barred, that the contributions of candidates and civil service employees are either prohibited or strictly limited, and finally that the contributions of others are limited to relatively small amounts, it becomes a matter of distinctly minor importance to know who are the financial supporters on either side. Given these conditions the publication of such information would scarcely attract any notice even during the heat of a campaign.

As a first effect the restriction of contributions according to all or a part of the various propositions discussed above would probably reduce the aggregate of campaign funds considerably. It remains to be seen whether this will have an unfavourable influence upon our political life. Shocked by the magnitude of the sums recently employed many of our social doctors would advise rigorous starvation and copious bloodletting as essential to the radical cure of our campaign diseases. In spite of the necessity of parties under the conditions of American government public prejudice is strongly inclined to underestimate the value of party work. Yet considering the size of the country and the magnitude of the interests involved it is doubtful if the amount expended in the last presidential election, to cite a specific instance, was uneconomical. Certainly an even larger sum could be spent profitably along educational lines in our

greater campaigns. One trouble now is that quite apart from the illegal or immoral practices charged against American campaign managers the latter have in too many cases carried on their activities in a conventional fashion which is rather ineffective and wasteful. Thousands of dollars are spent in circulating documents and speeches. Yet printed matter of this character is so cheap and nasty in appearance, so unattractive in form, so devoid of illustration, and often so dry and prolix that it is promptly and deservedly thrust into the waste-basket by practically all recipients. Progressive business men have learned the value of modern forms of advertising in newspapers, magazines, street cars, etc., but the political manager seldom employs it with any effect. In many districts illustrated lectures would be an enormous improvement over the cheap mouthings of the ordinary cart-tail spell-binder. Campaign text-books, as the term is at present understood, are at best dry and formal arsenals of fact fit only for the higher grade of speakers and leaders, or, at worst, mere hodge-podge collections of sensational clippings useful only to equip already convinced partisans with a few accusations and arguments which they can then monotonously parrot forth from the beginning to the end of the campaign. Constructed with some regard to pedagogical principles and popular requirements such books might

be made extremely influential. By these and other improved methods our campaigns may finally come to be worth what they cost. Certainly few services are of more importance in a democracy than rousing the people to political issues, instructing them as to men and policies, leading them out from narrow personal concerns to participation in the broad life of the state. Even with all the restrictions on the collection of campaign funds which have been mentioned above it is improbable that sufficient funds for all legitimate purposes will in the long run be denied. If any shortage threatens, campaign managers may better their situation by the same policy which any institution dependent upon public support must follow under similar circumstances,—that is, they must so impress the value of the work they are doing upon the people that ample material support will be freely offered. If this cannot be done they will simply have to get along with less, the probability being, of course, that the smaller amount is quite as much as is necessary and certainly as much as they deserve.

One certain consequence of the prohibition of large contributions will be greater activity on the part of campaign collectors to secure contributions in smaller amounts. This would seem desirable in every way. Until we commit ourselves to the principle of state subsidies it ought to be part of common school instruction everywhere to insist on the duty of the voter to contribute something

toward party support. Possibly large contributions might be found unobjectionable in the future if given for some specific purpose, the circulation of a certain speech, for example, or some other educational form of political activity. Considering the abuses which have been charged against campaign managers the almost universal habit of making gifts to them on a *carte blanche* basis is remarkable to say the least. Taking a suggestion from educational practice, large campaign contributions might be further legitimatised in case it were stipulated that equal amounts should be raised in small sums by campaign managers. If the time be short in which to comply with a condition of this sort, the interest in such collections, on the other hand, would be very great. Certainly it could scarcely be argued that a sum thus collected represented nothing more than the selfish desire of a rich man to promote one of his personal interests.

Besides prohibiting or limiting contributions from certain sources it may also prove desirable to fix time limits within which large gifts may not be received. Among other conditions voluntarily accepted in 1908 the Democratic National Committee pledged itself to receive no contribution above $100 within three days of the election. The time limit in this case was scarcely long enough to be very impressive, but the principle involved is of some importance. Such facts as we possess with regard to the history of campaign funds indicate

" fat-frying " of a most strenuous and compromising character during the last few days preceding an election. Alarmist and hysterical reports about doubtful states were prepared on both sides and presented tearfully and confidentially to men of wealth, to candidates, and to other persons from whom money might perchance be obtainable. The probability is very strong that the great sums thus raised and of necessity spent at the eleventh hour were more largely subject to waste, theft, and corrupt use, than any other money which was placed in the hands of campaign managers. Prohibition of contributions within a short period prior to election or their limitation in amount during such period ought to reduce this evil considerably, at least on the collecting side. If subjected to such a restriction campaign managers will, of course, seek to secure as large a sum as possible before the time limit expires, and they will also take care to keep a sufficient reserve on hand for the culminating needs of the campaign. Nevertheless they will be pretty effectually estopped from calamity howling at the last minute as a means of obtaining large additional " slush " funds.

A very important question is raised by one section of the Wisconsin law of 1897,[1] which provides that contributions to aid certain candidates may be made only by residents of their districts. So far as ascertainable this is the only case of a geo-

[1] Wisconsin, L. 1897, 358.

graphical limitation upon the gathering of campaign funds. It is a matter of common knowledge that in national contests very great sums collected on the outside are poured into doubtful states, sometimes with material influence upon the results. Large amounts of money are occasionally massed in a single district to elect a particularly strong, or to defeat a particularly obnoxious member of Congress. In state and local contests the same sort of financial manipulation is not unusual. Our laws, unlike those of England, do not permit plural voting. An American citizen votes where he resides. No matter how great may be his property holdings he cannot vote elsewhere. But he may spend his dollars anywhere in support of candidates and policies, or his contributions may be similarly employed by the party managers to whom they are handed. It is too early to discuss the equities of a situation the moral obliquity of which is as yet so dimly perceived. A principle of some importance, however, would seem to underlie the Wisconsin prohibition against invasion by foreign campaign contributions.

Assuming publicity and other necessary restrictions of campaign funds to have been put into effect, the question may be raised as to whether business interests could secure proper hearing for themselves in political affairs. It must be conceded at once that government should act always with due regard to economic factors. Many cam-

paign contributions of times past, including even some of the most objectionable, were made by business men who felt that while by so doing they were pledging public officials in their favour they were at the same time pledging these officials to that course of conduct which was best for the prosperity and welfare of the country as a whole. Quite apart from all moral considerations such contributions were looked upon as a sort of business tax, made necessary by our democratic political conditions, and as such fundamentally justifiable. There is no excuse for not knowing better now; in a short time there will be absolutely no justification for tolerating contributions made on this basis. Business men who pursued the old policy were following what looked like a short and easy cut to their immediate ends. In reality they were piling up class hatred, restrictive legislation, obnoxious taxes, and various instalments of socialism. Fortunately this destructive process, so far as objectionable campaign contributions minister to it, is likely to be checked. But legitimate businesses, including big monopolistic concerns properly conducted, will not be debarred by publicity and the regulation of campaign contributions from the use of a great many open and effective means of bringing their interests to the attention of government. Of course grafting business will receive a set-back, but this is exactly what is desired. Our great economic interests would prob-

ably be in a far healthier condition to-day if they had employed legitimate agencies only in the past, and neglected altogether the short and dangerous cut to political influence offered by large compaign contributions. Business is now learning the value of frank and honest methods of dealing with the people, of publicity on its own account as contrasted with the old public-be-damned attitude. Internal reforms of business practices, the correction of abuses from within and by insiders, are seen to be much less costly than the application of legislative sledge-hammers. The American people is far from radical at heart. Given full and honest expositions of the case for business it is highly improbable that rash and destructive policies will triumph in the future, any more than they were wont to triumph in time past when business interests fought them in a manner scarcely less objectionable than the subversive policies themselves. And always back of the public opinion and temper of the people there are constitutional guaranties and the courts to maintain them,—safeguards stronger in all probability than those possessed by property in any other civilised nation in the world to-day.[1] Manifestly it will require much more than a reform of our present system of collecting campaign funds to prevent the proper and adequate

[1] *Cf.* President Arthur T. Hadley's discussion of "The Constitutional Position of Property in America" in the *Independent* of April 16, 1908.

hearing by governmental authorities of the legitimate business interests of the country.

By way of objection to such limitations of campaign contributions as have been proposed it might be urged that since gifts of services as well as gifts of money are made to campaign committees the former as well as the latter must logically be subjected to regulation. In certain cases it may be admitted that regulation of services is necessary. Particularly is this true of civil service employees. It is by no means improbable that it may be found advisable to enforce by law their complete abstention from all kinds of political work, leaving them nothing beyond the right to cast their vote. Certainly a very considerable amount of trouble is experienced at the present time in keeping them clearly within the legal, but not always self-evident, lines drawn by civil service acts and rulings. With this exception, perhaps, there would seem to be every reason to leave campaign contributions of services free from every restriction but publicity. No means should be neglected of encouraging the widest possible participation by amateurs in party activities and party management, and this is one such means. It is true, of course, that the services of some exceptionally able men may be equivalent to money gifts of tens or hundreds of thousands of dollars, and also that such gifts may not be equally or even proportionally divided among the parties. Normally, however, the

differences between individuals as to their political abilities are not to be compared in magnitude to the existing enormous differences in wealth which have made regulation of money contributions a necessity. And if one party is pre-eminently the gainer through gifts of services by brilliant men certainly it would seem to deserve any advantage thus obtained. Its rivals may thereby learn the value of the enthusiastic support of men of talent, and bestir themselves to revise their own programmes so that such men may be induced to enlist in their fighting columns. It is possible that minor parties and reform movements are relatively more successful in this way than the great parties. If so no dislocation of the political balance of power is likely to be occasioned by a policy of regulation of monetary contributions coupled with *laisser faire* as to contributions of services. Usually the strength of minor parties in enthusiastic personal support will still find itself more than outmatched by the strength of the old line parties in traditional fealty, in practical experience, and in greater monetary resources.

Whatever additional reform measures may be suggested by further experience with regard to the publicity and restriction of campaign contributions, two broad general principles would seem to apply in the application of all legislation of this character.

First, the subject is clearly one of state and

local as well as of national politics. The two former are subject to the same abuses as the latter. State and local politics are immensely important in themselves. They touch the daily affairs of the great mass of the people much more closely than do national politics. Moreover there is danger that with campaign fund reform in national affairs only, no matter how thorough it might be, the neglect of similar reforms in state and local politics would facilitate the evasion of national law. At least it would seem to make it possible to use large funds in local and state contests in such a way as to help indirectly but very materially the national interests of one or the other party. Fortunately some of our most important states have already provided for a measure of publicity sufficient to reduce this possibility so far as they are concerned. The danger will not be much lessened, however, until their example has been followed generally. Still it is hardly to be regretted that at the present time the major public interest is centred in the great presidential contest. There is no danger that the object lesson voluntarily given by the two national parties in 1908 will be forgotten by the American people either in succeeding presidential campaigns or in our minor state and city elections. But while we are securing the great political front door let us remember that the horse may also be stolen if we neglect to lock the numerous side and back doors.

Secondly, our primary and convention system is subject to the same abuses in the use of money as the election system proper. Indeed in states solid one way or the other it is probable that corrupt practices are more common in connection with nominations, where there may be sharp fighting, than in the subsequent cut and dried election. Organic reforms of a most sweeping character are in process in this field,[1] and when the time is ripe it would seem to be an easy matter to graft upon them the requirement of publicity of nominating expenses and other restrictions upon primary contributions similar in a general way to the restrictions now being imposed upon campaign contributions. A start has already been made in this direction. By a law which went into effect in 1892, Massachusetts established publicity in respect to nominating as well as election expenses. The Garfield Corrupt Practices Act passed by the Ohio legislature of 1896,[2] and unfortunately repealed in 1902, required publicity and limited the expenditure of candidates before conventions and primaries as well as before elections. In 1906, Pennsylvania passed a law [3] containing a list of the legitimate forms of campaign expenditure and requiring statements from candidates for nomination in

[1] *Cf.* Professor C. Edward Merriam's "Primary Elections."

[2] Laws of 1896, p. 123. The repeal was due to minor defects in the law which could easily have been corrected by amendment.

[3] Laws of 1906, ch. 17.

the primary as well as from candidates for election. Nebraska, Virginia, and Georgia, have also passed laws of this character.[1] In sharp contrast with these movements for better things within our states are the deplorable conditions currently alleged to exist in the greatest of all our nominating institutions,—the National Conventions. It would seem hardly possible to delay much longer reform measures designed to bring about improved conditions in this field.

Considering the many unsettled points with regard to the proper measures for regulating campaign contributions and the necessity for the extension of such reforms to many areas as yet untouched it is evident that we are dealing with a movement which has scarcely made more than a beginning. Even with satisfactory legislation on our statute books the fight will not be completely won. Fortunately it is believed that the argument of unconstitutionality cannot be employed against this movement.[2] Difficulties of administration will have to be met, however, although it is highly improbable that these will be so great as the difficulties occasioned by the execution of other parts

[1] Nebraska, L. 1901, 30; Virginia, L. 1903, ch. 98; Georgia, L. 1908, 63.

[2] An able argument on this point is presented by Mr. Perry Belmont in his "Publicity of Election Expenditures," *North American Review*, vol. clxxx (1905), p. 166. For many of the most important facts cited in the preceding pages of this study the writer is indebted to Mr. Belmont's valuable article.

of our corrupt practices acts, such for example as the manifold conditions which prevent the complete enforcement of laws against the bribery of voters. Bi-partisan state election boards may take over all ordinary official duties in connection with laws requiring the publicity of, or otherwise limiting, campaign contributions. In this work they may be somewhat aided by the mutual criticism of the parties themselves, although, unfortunately, this is a party function which is very imperfectly performed in the United States. Much good may be accomplished by such voluntary organisations as the New York *Association to Prevent Corrupt Practices at Elections.* With men of prominence in both of the leading parties in its directorate and membership the Association proposes:

> "First, To ascertain whether any judicial proceedings should be brought by the Association's initiative; that is to say, whether there is apparent evidence of bribery, or of deliberate falsification, concealment, and evasion in the statements [of campaign contributions and expenditures] such as would warrant a judicial inquiry to compel a proper accounting."
>
> "Second, To secure a permanent record for the Association of the important facts in connection with the statements filed, upon which an opinion may be based as to whether additional corrupt practices legislation ought to be recommended by the Association to the Legislature."

The Association further intends to exercise the closest scrutiny over such items as "canvassers,"

"watchers," "expenditures for workers," and so on. Particularly praiseworthy in its platform is the determination to prosecute violations before the courts. Unless some determined agency undertakes this function all campaign fund enactments will promptly sink to the level of those already too numerous American laws which adorn our statute books with ideal maxims but in practice are ignored by our administrators.[1]

Assuming both legislative and administrative activity in campaign fund reform still we must not overestimate the value of the probable results. Only a part of the problem of the support of party machinery and party workers will be solved thereby, but at least it may be said that an important contribution toward the ultimate complete solution of the problem will be made. Bribery and corruption will not be done away with by the reform. They are, as we have seen, much too persistent and extended to yield to any single reform effort. Indeed some forms of bribery may be encouraged by the new practice with regard to campaign contributions. Although it may be made impossible to place men under obligations while they are candidates it will still be possible to buy them, if they are purchasable, after they have been elected. One should remember, however, that if primaries

[1] *Cf.* the Association's searching "Report of Examination of Election Expense Statements, 1908;" also its leaflet on "Future Plans to Prevent Corrupt Practices."

and elections can be purged of corrupt financial influences it is probable that our successful candidates for office will be less open to venal influence than those who win out under the present vicious system. Thoroughgoing campaign fund reform will enable candidates to attain office without assuming financial burdens of such a character as to make it difficult for them to act in a perfectly honest and independent manner. By far the worst evil of the present system is the ease with which it enables men otherwise incorruptible to be placed tactfully, subtly, and—as time goes on—always more completely under obligations incompatible with public duty. Finally campaign fund reform will enable parties to become what democratic theory requires them to be, namely honest interpreters of the popular will instead of crooked agents of sinister influence into which they will otherwise degenerate. Taking the most moderate view of the benefits to arise from such reforms, therefore, it would seem a clear duty of all patriotic citizens and statesmen to work first for the publicity of campaign contributions and afterwards for such other restrictions upon their collection and use as experience may suggest.

CORRUPTION AND NOTORIETY: THE MEASURE OF OUR OFFENDING

VII

CORRUPTION AND NOTORIETY: THE MEASURE OF OUR OFFENDING

CHARGES of corruption make up a large and important part of the stock in trade of the ordinary American journalist, politician, and reformer. One unfortunate result of this condition of affairs is that, taking us at our word, Europe is forming a very low estimate of the honesty of governmental and business practices on this side of the Atlantic. Even among ourselves corruption is coming to be thought of as an indefinite percentage of evil corroding the general service of the state, and this percentage is assumed to be much larger in the United States than abroad. Similar comparisons are drawn between the principal local and state governments of the country. One popular writer owes no small part of his vogue to the crisp and supposedly accurate tags which he has affixed to several of our municipalities and states, *e.g.*, "corrupt and contented," "half free and fighting on," "a city ashamed," "bad and glad of it," "a traitor state," "a state for sale," and so on. Between actual corruption, however, and the notoriety attached to it no definite and known ratio can be said to exist. Much as it is to be regretted quantitative measures of this political and social

evil are at present quite impossible. Many difficulties stand in the way even of approximations sufficiently exact for comparisons of any value. It may perhaps be as well worth while to consider the nature of these difficulties as to indulge in denunciation regardless of them.

In the first place a thoroughgoing policy of concealment and silence would seem absolutely essential on the part of those who engage in corrupt practices. Our most astute leaders and manipulators realise this fact. All observers agree, however, that among the initiated, which usually means a pretty large circle, corrupt transactions are discussed with comparative freedom. It is a matter of no great difficulty for an ordinarily capable reporter to learn in a general way what has been done by the boss or gang in certain instances, although this, of course, is sufficiently far from being legal evidence. And it is notorious that our politicians of the baser sort often indulge their cronies with boasting accounts of their own achievements in grafting. No one has commented upon this fact with greater vigour than Professor H. J. Ford of Princeton in his admirable review of Mr. Steffens' *Shame of the Cities.*

"The facts with which Mr. Steffens deals," writes Professor Ford, "are superficial symptoms. Hardly any disguise of them is attempted in the ordinary talk of local politicians. One of the first things which practical experience teaches is that the political ideals which receive

literary expression have a closely limited range. One soon reaches strata of population in which they disappear, and the relation of boss and client appears to be proper and natural. The connection between grafting politicians and their adherents is such that ability to levy blackmail inspires the same sort of respect and admiration which Rob Roy's followers felt for him in the times that provided a career for his particular talents. And as in Rob Roy's day, intimate knowledge finds in the type some hardy virtues. For one thing, politicians of this type do not indulge in cant. They are no more shamefaced in talking about their grafting exploits to an appreciative audience than a mediæval baron would have been in discussing the produce of his feudal fees and imposts. Mr. Steffens has really done no more than to put together material lying about loose upon the surface of municipal politics and give it effective presentation. The general truth of his statement of the case is indisputable."[1]

Possibly, however, Professor Ford underestimates the penetrating force of "political ideals which receive literary expression." If by this phrase he means only the highest conclusions of philosophy clothed in the noblest language, it is apparent that a very small circle will be reached at first, although in time these ideals also are certain to be widely diffused by the schools, by journalism, and by the learned professions. If, on the other hand, "literary expression" is understood to include the news and editorial columns and the cartoons of the daily newspaper, a great and constantly increasing body of readers are becoming

[1] *Political Science Quarterly*, vol. xix (1904), p. 676.

amenable to ideals higher than those bred by the personal relation of "boss and client." Tweed's sensitiveness to the terribly cutting cartoons of Thomas Nast shows this process in the course of development. In spite of the fact, of which the Tammany chieftain had boasted, that most of his constituents could not read, he was nevertheless forced to exclaim:—"If those picture papers would only leave me alone I wouldn't care for all the rest. The people get used to seeing me in stripes, and by and by grow to think I ought to be in prison."[1] Even that portion of our foreign population which differs most widely in language and customs from the native American stock is being brought with amazing swiftness under the influence of the daily papers published in English.[2] That influence may not be all that we would like it, but at any rate it is much more broadening than the ethics of the clan.

In addition to the perverted class ideas current in the lower political ranks there are other causes of the astounding garrulity which prevails regarding corrupt practices. One of these is the exaggerated vanity which all penologists note as a common trait of criminal character. The most adequate explanation, however, is to be found in

[1] G. Myers, "History of Tammany Hall," p. 285.

[2] Mr. Ernest Poole under the title of "New Readers of the News" in the *American Magazine* for November 1907, (65:41), presents an extremely interesting study of the broadening power of the press along this line.

the fact that so many of the offenders of this sort are allowed to escape the penalties of the law. If corruption even in its grosser forms were as certain of punishment as burglary or forgery, its still unterrified votaries would speedily learn to keep their mouths shut. One almost amusing consequence of the large degree of immunity they enjoy at present is the maudlin sympathy expressed by confrères when an occasional unlucky rascal is fairly caught in the net of the law. Well they know, these friends of his, that he is no more guilty than a score of others who go scot free. Often the untoward event is made the subject of denunciations on the flagrant injustice involved, and if the gang is particularly impudent its next accession to power is pretty apt to be marked by the complete rehabilitation of the "martyrs" who suffered during the reform uprising.

As a result of the reckless and often exaggerated gabble of the grafters, sensational newspapers and magazines find it an easy matter to keep their columns filled continually with highly spiced political exposures. In all probability comparatively few out of the total of corrupt transactions that actually take place are thus made public, but the prominence given these few may easily lead to overestimates of the extent of this evil in our political life. Undoubtedly, also, our practical political leaders are sometimes accused of offences in which they had no part. Inefficiency, as we have

seen, is very common and very similar in appearance to corruption. No great reportorial or editorial skill is required to dress it in the garb of the latter. The constant reiteration of stories of this kind creates as well as meets a popular demand. Ordinarily a saving sense of the exaggeration and partisanship indulged in by a section of the press leads readers to make the necessary discount in forming their opinions of the published accounts of corruption. At times, however, the popular craving for pungent stories of corruption amounts to a positive mania. Such was the case in 1905, 1906, and 1907, as any comparison of the tables of contents of certain magazines and papers of that period with previous years will abundantly show. On the other hand there can be no doubt that a considerable part of this literature of exposure and denunciation was substantially accurate, and that its publication was a service of high merit. That it was also profitable is no reproach: society is the gainer when instead of ostracism and punishment it provides rewards and honours for those who attack real public abuses. In not a few cases where corruption was thus charged by journalists subsequent investigations before commissions and courts left no doubt of the existence of vicious practices, and led to reforms of a most beneficent character.

Extremely deplorable as must be the effect of false accusations inspired by selfish motives, a policy of the widest publicity offers great advan-

tages over one of suppression and silence. Better fifty exposures, ten or even twenty of which are misleading, than blind concealment of official misdoing. Disproof of false charges is comparatively easy and when effectively made redounds to the prestige of the official or individual who has been unjustly assailed. As for those newspapers and periodicals which flagrantly abuse their privilege, it is seldom that they altogether escape penalties in the form of loss of influence if not of circulation. If penalties of these kinds can be made effective press censorship and *lese majeste* laws, such as exist in autocratic governments, need never be resorted to in America. From this point of view the horror frequently expressed by continental publicists at the corruption existing in the United States appears rather equivocal. Bad as some of our political conditions may be, we at least deserve credit for our willingness, nay, our determination, to hear the worst about ourselves. Certainly there would seem to be greater hope of improvement under our policy than in a country whose chief national hero used the enormous income from the sequestered estates of the House of Hanover to fill the news and editorial columns of the "reptile" press with lying articles favourable to his policies, and in which only recently the facts concerning the Camarilla surrounding the Emperor were so cautiously and partially brought to light. And it is well known that in Russia the censorship was

deliberately used by provincial bureaucrats to conceal their misdeeds from the knowledge of the Czar.

As between countries which muzzle the press and those which allow liberty it is inevitable, then, that the governments of the latter will be charged far more openly and frequently with corruption. Citizens who are shocked by the accusations thus trumpeted forth may be pardoned some apprehensions for the continued stability and success of their institutions. The sentiment does them more credit than callous disregard or brazen Chauvinism, and is altogether more likely to be productive of good works in the future. But it may easily be carried to an extreme. National shamefacedness is not a virtue. In forming a judgment of the extent of contemporary corruption the garrulity of politicians, the sensationalism of the press, the popular demand for highly spiced accounts of official sinning should all be taken into account. A cynical representative of yellow journalism, replying to the criticism that his paper indulged too much in lengthy and lurid accounts of crime and immorality, remarked rather sententiously that "sin is news." The statement is only partially true. Most sins are too common and too petty to have any news value. Only those offences that to current estimation seem large and dangerous are given prominence and headlines. If Turkey and China enjoyed the blessings of a free press it is

hardly probable that the papers of those countries would give much space to what, according to Western standards, would be frankly considered corrupt and extortionate practices on the part of their pashas and mandarins. Such practices would be so common, so universally known, and so little in conflict with contemporary Turkish and Chinese political morals that they would excite little interest and comment. If then, as in our own papers, accounts of atrocious crimes and accusations of corrupt practices are given the same large measure of prominence it means simply that both kinds of offences are considered to possess a high degree of news value. Puritans may deplore the popular taste which finds interest in such reports, but we cannot deny the existence of that interest. Primarily it exists not because sin as such is news but because offences which are considered large and dangerous appeal powerfully to the popular mind.

To the normal reader, of course, the fascination of such accounts is the fascination of repulsion, not of attraction. In attempting to explain the pornographic note in modern French literature, Professor Barrett Wendell makes a most ingenious suggestion that is not without its application to the present argument.[1] With the exception of a class forming a small part of the whole population, French family life is conspicuously pure. Why,

[1] "The France of To-day," pp. 223 *et seq.*

then, asks Professor Wendell, should fathers and mothers who themselves practise every conjugal virtue delight in novels and dramas that dissect all the prurient phases of divorce, adultery, and sexual laxity? Simply because such topics take them out of themselves by presenting situations quite foreign to their experience and hence strikingly interesting. In some degree the same answer applies to American public interest in corrupt practices. The great mass of business and professional men, and of politicians as well, who sincerely attempt to live up to the best standards of their vocations nevertheless read and hear with avidity spicy accounts of the malpractices of their disreputable colleagues. Nor can this interest on their part be denounced as morbid so long as it leads not to palliation and imitation but to reprobation and efforts for the wiping out of abuses. Would the situation be really improved if instead of the daily grists presented to us by the newspapers we should read nothing but accounts of the straightforward methods which are employed in the great bulk of political, business, and professional transactions? The habit might be exemplary but it would certainly be supremely dull. While it is not true that all sin is news there would seem to be nothing to regret in the fact that neither are all virtues. Of the two the former undoubtedly has the greater news value. But the reason for this is that relative to the sum total of everyday transactions the

more heinous offences against morals and law are to a high degree unusual. Virtue and ability, on the other hand, are so commonplace that it requires a most exceptional display of either to secure public notice. Considerable vogue has been enjoyed recently by the term "smokeless sin," as applied to certain forms of social evil-doing which although large and dangerous are also so subtle and complicated that responsibility for them can easily be avoided.[1] Students of sin would do well to remember, however, that now as always virtue as a whole possesses the quality of smokelessness to a much more eminent degree than vice.

Admitting that political corruption exists among us to a disquieting extent the point is frequently made that the vigour with which it has recently been exposed and attacked is in itself evidence of moral health and harbinger of ultimate victory over the evil. Such exposure and attacks, it is said, signify the development of higher ideals measured by which practices formerly tolerated are now condemned by public opinion and will later be condemned by law. As to the emergence of higher ideals there can be no doubt, and so far we have just ground for encouragement. Reform sentiment as a whole, however, can scarcely be accepted

[1] As, *e.g.*, fraudulent promotion, adulteration, the building of unsanitary tenements, failure to provide proper safety devices in theatres and factories or on railroads and steamships.

at its full face value. A considerable part of the denunciation which accompanies it is as much exaggerated as the corresponding campaign "literature" and "oratory" of the practical politician. Thus the volume of clamour is augmented and the difficulty of correctly estimating honesty in public life increased. There are always those who deliberately attach themselves to reform movements solely because they foresee victory at the polls with office and emoluments and other less legitimate opportunities for themselves. In other words while ostensibly fighting corruption the motives of such persons are at bottom corrupt from the start. Bandit Mendoza of the Sierras, that eminent socialist of Shaw's creation, was not entirely wrong in maintaining that "a movement which is confined to philosophers and honest men can never exercise any real political influence: there are too few of them. Until a movement shows itself capable of spreading among brigands, it can never hope for a political majority." In some American cities charges have even been made that corporate interests which did not enjoy the favour of the gang or boss have contributed largely to "anti-graft" campaigns, their real purpose being to place themselves in a position to claim the favour of the "honest" administration elected by their efforts. Knowledge of corrupt transactions, discretely hinted at in the press, has been used in other instances as a sort of political blackmail to

club the gang or boss into the granting of privileges to applicants who had hitherto been denied. The mere volume of clamour developed by reform movements against corrupt practices is, therefore, no certain index of higher moral standards. There is even danger that we may too complacently accept mere denunciation for real achievement. Nor can the work be deemed finished when popular uproar has secured new legislation, for laws, notoriously, do not execute themselves. Discouragement then too easily overtakes the rank and file of the anti-corrupt element; hence, in part, the spasmodic character of many reform movements. When every necessary deduction has been made, however, the fundamental strength and continued progress of the cause of honesty in politics is beyond question. Even the selfish interests that attach themselves to it prove this contention. It is true they bring no enthusiasm for higher standards as such, and also that the results of alliances of this character are often disheartening. Nevertheless the mere fact that such alliances are entered into by practical politicians is pretty strong testimony, coming as it does from men who are very little affected by considerations of sentiment, to the power of the sincere reform element which is pursuing no ulterior ends. In all cases of this sort the selfish politician is seeking to strike with the strength of others, and this strength must be reckoned with as a real factor, no matter what uses

designing men endeavour to make of it. Here as elsewhere the counterfeit bears witness to the value of the genuine.

Whatever may be the extent of corruption in the United States it is under fire all along the line. Moreover we regard and attack as abuses practices which in other countries are considered free from reproach or even as pillars of the state. Comparisons to our disadvantage on the score of corruption are most frequently made with England and Germany. In England, however, the privileges of peerage, gentry, clergy, and the landholding class generally are enormous.[1] Land is assessed at a fraction of its real value, local rates are thrown upon the tenant, railroads seeking charters and cities seeking legislation to wipe out disease-breeding slums or to take over badly managed docks find themselves mulcted by special acts exacting excessive prices for the property taken, and the interests responsible for all these conditions sit enthroned in an omnipotent parliament. Landlordism has progressed to a considerable degree in the United States, to be sure, and we possess a more than plentiful supply of slum landlords. Property rights in realty are abundantly protected among us, but our landowners are very far from enjoying the class privileges or the social standing accorded them in England. Moreover when abuses arise in

[1] *Cf.* Mr. Frederic C. Howe's admirable article on "Graft in England," *American Magazine*, vol. lxiii (1907), p. 398.

connection with their management, public opinion does not hesitate to express itself unmistakably, nor is corrective legislation difficult to procure. In Germany, which like England is frequently extolled for its high political morality, autocracy, aristocracy, *Junkertum,* and the swaggering military class are sacrosanct. Landtag and city councils in Prussia are elected under a three-class voting system which fills these bodies with agents of the landed and plutocratic interests and deprives the great mass of the people of adequate representation. Against these and kindred abuses has risen the menace of social-democracy. The prospects for peaceful reform in the near future are not altogether bright. Autocratic, aristocratic, and plutocratic rule is seated firmly in the saddle, and is not inclined to listen to proposals that it shall reduce its own powers. Special privileges exist in the United States, it is true, but they are always regarded as questionable, they must continually justify themselves to a majority of the whole people, they can never feel themselves secure in public opinion even if for the time being they have the support of law. "Grafting," said Governor Folk of Missouri, "may or may not be unlawful. It is either a special privilege exercised contrary to law or one that the law itself may give. Special privileges are grafts and should be hateful to all good citizens."[1] The statement is an unguarded one,

[1] *Nation,* lxxxi (November 23, 1905), p. 422.

but it is thoroughly typical of a deep-seated American tendency to suspect corruption in every special privilege, whether it be legal or illegal, whether it be condemned by a sweeping consensus of moral opinion or only by some reforming voice crying in the wilderness.

It is no part of this argument to assert that the rights and immunities enjoyed by the English aristocracy, for example, are corrupt. Under the definition earlier proposed this is clearly not the case. On the contrary these privileges have as yet the support of law, tradition, custom, public opinion, and public deference. A radical democrat might say that all this simply proves the blind ignorance of the great mass of Englishmen and the fatal ease with which they can be exploited by a horde of social parasites. From an unprejudiced point of view, however, we must concede the right of a people to govern itself according to its own lights. The English may be committing a monstrous political blunder in tolerating their aristocracy, but if they decide to do so that is their own concern, and the privilege so established is, both in morals and in law, beyond the accusation of corruption. Exactly the same defence may be made for the Prussian *Junkertum* and the German military class, or, for that matter, for the caste system of India. The development of new standards of public opinion, morals, and politics, in these countries may at some time bring their privileged classes

under effective criticism; the conviction that they are socially harmful may gain ground; and out of this conviction may come reform movements designed to secure their abolition. Until that time, however, while we may perceive clearly enough the political ills entailed upon our neighbours by special privilege, we cannot denounce them as corrupt because they tolerate it.

It may even be conceded that in some cases the glorification of a class is in the best interests of the state as a whole. Feudal aristocracy was certainly functional and efficient, whatever one may think of its modern descendants. Considering Germany's powerful neighbours and her extended frontier there is much to be said even for the privileges at present granted to her military class, however odious they may appear to the citizen of a non-militant country. One need not go far afield in search of illustrations of this sort. Under our tariff system advantages accrue particularly to manufacturers that are not entirely dissimilar to the special privileges referred to above. Protection was established, however, on the ground that while manufacturers might benefit primarily by duties on imports, the resulting advantages would be widely diffused, and the interests of the country as a whole advanced by this policy. It is possible that the majority was mistaken in so thinking, just as the English may be mistaken in thinking that the maintenance of an aristocracy is to their na-

tional advantage. Deeply as our protective system is entrenched, however, it has no such support as aristocracy in England, as militancy in Germany. It has continuously been criticised by very large minorities, and the only real basis of defence it possesses is the conviction of the majority that it is conducive to the welfare of the country as a whole. If it once loses this support its ultimate fall is assured. Other forms of privilege existing among us,—railroad interests, franchise interests, interests seeking land, timber, and mineral grants, or subsidies, and corporations generally,—are on the defensive to an even greater degree than the protective system.

The argument so far as it relates to special privileges may now be summed up as follows: Special privileges are not necessarily corrupt; they may be in the public interest and recognised as such. They exist in the United States, but are much more common in England and Germany. We, however, have chosen to regard all of them with suspicion and to attack many of them vigorously, charging them not only with corruption but with every other political crime in the calendar. Abroad they enjoy greater security and respectability. Even when they are assailed by English and continental publicists more deferential methods of attack are employed than we are used to in America. Rude words such as "graft" are

avoided.[1] Hence in part the greater appearance of corruption which we present to Europe, and which we seem to confirm by the criminations and recriminations which issue from our own mouths. Mr. Frederic C. Howe is therefore right in maintaining the probability that "it is not so much in the badness, as in our knowledge of the badness, that America differs from the rest of the world." Without underestimating the enormous power of the forms of special privilege which exist among us, and the difficulty of restraining and regulating them,[2] European nations may nevertheless find it a far more trying task to adjust the claims of their own widespread and deeply rooted forms of privilege when they come into conflict with the rising tide of

[1] Note, for example, the very different treatment of the campaign contribution question in the two countries. It may be conceded that America has much to learn from England with regard to the control of election expenditures. On the side of collections, however, it is notorious that in England both political parties unblushingly barter titles for financial support. There is something particularly despicable in this pollution of the "fountain of honour" to procure campaign funds, yet on the rare occasions when the matter is brought up in Parliament its discussion is characterised by hilarity rather than by moral earnestness. In American politics the corresponding evil is felt to be a scandal and as such provokes not only the curative legislation discussed in an earlier study but also much bitter and noisy denunciation.

[2] Any illusion as to the ease of restraining privilege in the United States is likely to be speedily dispelled by the reading of President Arthur T. Hadley's masterly discussion in the *Independent* of April 16, 1908, of "The Constitutional Position of Property in America."

democratic and socialistic sentiment. So far as privilege in autocratic, aristocratic, and clerical forms, is concerned we have every reason to be grateful that the fathers of the Republic long ago made away with it. They left the awful heritage of slavery, but privilege resting upon that basis has also been wiped out. We ourselves must face the power of the political machine and massed wealth, and we are facing it. Momentous as is the issue, we have, at least, the satisfaction of being able to rejoice, in the trenchant and essentially true words of Mr. William Allen White, that the United States is "a country where you can buy men only with money." [1]

In comparing the political morality of Europe and America reference must finally be made, even at the risk of repetition, to the greater political trust imposed in the mass of our people. As regards the number participating suffrage is not materially different in the United States from the systems of the leading European nations. The tendency abroad, however, is to limit the direct popular vote to legislative offices only and to the smallest possible number of these. It is undeniable that we have gone too far in the opposite direction. We crowd not only legislative but also many judicial and administrative offices on our "blanket" ballots, and as a result the total number of places

[1] In "The Old Order Changeth," *American Magazine,* lxvii (1909), p. 219.

submitted to the popular vote passes all bounds. Instead of realising greater democracy by this method we enable the machine to take advantage of the confusion which the elector feels when confronted by so many places and candidates, and his consequent inclination to vote "straight."[1] Apart from this point, however, it is extremely important to note that the power of the vote to confer place is much greater in the United States than abroad, and consequently, if it is to be corruptly purchased or misused, its value is higher. To put the matter in another way, the trust imposed by the Republic in the voter is greater. The number of offices to which the ordinary citizen is eligible by ballot without regard to class standing or desirable preparation, the greater importance of state and local government, and the placing of the latter under popular control,—all contribute to increase the burden of responsibility which is imposed upon

[1] No political reform now before the American people promises more beneficent results than the short ballot movement. It advocates the principle "that democracy can reach more efficient working through a drastic reduction in the present number of officials selected by the individual voter, thus securing a ballot which is very short and which includes only offices that are of sufficient public interest to attract from the voters a scrutiny and comparison of candidates that will be adequate to make their relative individual merits a matter of common knowledge." *Cf.* the vigorous little pamphlet by Richard S. Childs on "The Short Ballot: A New Plan of Reform," reprinted from the *Outlook* of July 17, 1909, New York, 127 Duane St., 1909.

the great mass. We must admit that the trust thus created is often violated, but on the other hand we deserve such credit as may arise from the fact that we have deliberately chosen to believe in the virtue of the whole people and have established a system which puts that virtue to a supreme test. European nations which take the " holier than thou " attitude with reference to our corruption might be forced to abandon their pretensions if they were to lodge as much power in their electorates as we do in ours. Given two communities, one " dry " and the other " wet," the mere fact that there was more drunkenness in the latter would not prove a less degree of moral control of appetite on the part of its inhabitants. One would have to take into account that the citizens of the " wet " community could satisfy their thirst openly and frequently, whereas some of the " drys " must be sober at times simply because they cannot get liquor. On the other hand, those citizens of the wet community who abstain must do so of their own volition and in the face of constant temptation. Similarly it may be said of the political vice existing in the United States that its magnitude is in part due to the fact that, loving democracy " not wisely but too well," we have distributed powers and responsibilities broadcast with the consequence that they have fallen partly into unworthy hands. And of such political virtue as we possess at least we may assert that it is not the anemic innocence

which has never known the approach of temptation.

It would appear from the foregoing that the various factors which must be taken into account in attempting to determine the extent of existing corruption are extremely conflicting and uncertain. As between country and country, city and city, comparisons are certain to be odious and likely to be misleading. Each has problems sufficiently pressing and extended to occupy its reform energies to better advantage. We in the United States may not be so wicked as our neighbours believe, but our work is cut out for us, and it is work that will require the greatest intelligence and the greatest virtue that the republic possesses. Hasty conclusions regarding the outcome, and particularly such as lean towards pessimism, should be avoided. Although as a general proposition it is unquestionably true that universal corruption would mean social disintegration, extreme caution should be employed before venturing such a prediction in a given case. Prophecies of this character have been made in almost countless numbers and in almost every age and country. In the overwhelming majority of cases they have been falsified by subsequent events. It is easy to underestimate the essential strength of the more fundamental social institutions and to forget the long course of evolution during which they have become delicately adapted to human needs. So far as the more pro-

gressive countries of the modern world are concerned,—England, France, Germany, Austria, Italy, no less than the United States,—there would seem to be ground for the conclusion that political and social corruption is decreasing in extent and virulence. At bottom government rests as much upon confidence as does a savings bank. Now in spite of the current and very pointed query:—"Where did he get it?"—the greatest harm done by corruption is not that it enables some men to acquire fortune and power rapidly at the expense of others. Resentment at the constant repetition of this spectacle is natural, and the influence which it exerts as a bad example is most deplorable. But far in excess of this is the evil which corruption inflicts by destroying the confidence of men in their social institutions. In the field of politics this evil is particularly great because of the wide extension of governmental functions in recent times and the great possibilities which might be realised by further extensions. To cite tangible examples, it is both exasperating and dangerous that much needed plans for the building of a school, hospital, asylum, sewerage system, or a State Capitol, or for the establishment of departments of inspection to supervise industrial plants, theatres, or tenement houses, should be halted by the fear that corrupt interests will take an initial toll out of the expenses of installation and thereafter seek to pervert these services to their private advantage. Just so far as

this retarding condition exists the state is prevented from realising its present possibilities and from undertaking other beneficent work which it might perform particularly in the fields of education, art, sanitation, and philanthropy. Yet in spite of this heavy drag the more progressive modern states are extending their functions and, on the whole, giving better satisfaction to the needs of larger populations than ever before. Petty principalities and the city states of former times have passed away forever. The dominant modern national type of state stands for populations that must be reckoned by tens of millions.

Even more significant than growth in population and territory, however, is the growth that has taken place in the number and complexity of political and other social relationships. It is true that far back in antiquity there were great and powerful despotisms, but they were held together largely by the strong hand, and, as compared with modern governments, performed very few services for their peoples. Within recent times inventions annihilating time and space have brought men closer together but they would not *cohere* as they do in government, in business, and in other social activities, were the requisite moral factors not present. Civilisation has developed these factors, but at the same time, unfortunately, a new breed of parasites has come into existence to destroy in part the fruits of our more intelligent, more honest, and better

equipped labour. Vigorous fighting is necessary to limit the damage inflicted by the type of social marauder which Professor Ross so trenchantly describes,—"the respectable, exemplary, trusted personage who, strategically placed at the focus of a spider web of fiduciary relations, is able from his office chair to pick a thousand pockets, poison a thousand sick, pollute a thousand minds, or imperil a thousand lives."[1] With full recognition of the danger threatening our highly specialised society from resourceful enemies of this character there is still another aspect of the case which should not be forgotten. One must learn "to look at the doughnut as well as the hole." While insisting upon the enormity of the offences committed by our modern social pirates let us not ignore the significance of the multiplication of foci strategically placed within the spider webs of fiduciary relations. If social trusts were habitually betrayed they could not increase in number and importance. Such enormous and complex aggregations as are brought together under modern governments, for example, mean that men numbered on the scale of millions are convinced of the substantial fidelity to their deepest interests of the governmental structures to which they acknowledge allegiance. If this were not the case, if corruption and other abuses infected governments to such an extent as to render them unfaithful to their peoples, dis-

[1] "Sin and Society," pp. 29-30.

loyalty would take the place of loyalty, disintegration would succeed integration. No doubt many causes besides those mentioned conspired to bring about the appearance of the large, potent, and complex units which now prevail in government. While this process was being accomplished various hostile conditions had to be attacked, of which corruption was only one, although one of the most threatening. As these unfavourable conditions were and are being overcome it is safe to conclude, in spite of all superficial appearances to the contrary, that the relative extent and harmfulness of corruption are decreasing in the more progressive modern countries. A similar line of argument supports the same conclusion with regard to business institutions, which also have been increasing both in size, complexity, and the importance of the functions which they perform. The household industry of a few generations ago has given way to corporations employing their tens of thousands of men, trusting them with property worth millions, and, particularly in transportation, with the safety of myriads of lives. Such developments would be impossible either in politics or in business without greater intelligence, a greater degree of fair dealing, and greater confidence and loyalty from man to man. Corruption which exalts the selfish interest above the general interest has doubtless hindered, but it has not stopped, this process. Never before have men co-operated on so large

a scale and so honest a basis as here and now. If corruption had really penetrated to the vitals of our economic and governmental organisations this development could not have taken place.

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